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**Child Care and Development Fund (CCDF) Plan
for
State/Territory New Mexico**

FFY 2025 – 2027

Version: Initial Plan

Plan Status: Approved as of 2024-11-09 00:55:03 GMT

This Plan describes the Child Care and Development Fund program to be administered by the State or Territory for the period from 10/01/2024 to 9/30/2027, as provided for in the applicable statutes and regulations. The Lead Agency has the flexibility to modify this program at any time, including amending the options selected or described.

For purposes of simplicity and clarity, the specific provisions of applicable laws printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. The Lead Agency acknowledges its responsibility to adhere to the applicable laws regardless of these modifications.

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Overview

Introduction

The Child Care and Development Block Grant Act (CCDBG) (42 U.S.C. 9857 *et seq.*), together with section 418 of the Social Security Act (42 U.S.C. 618), authorize the Child Care and Development Fund (CCDF), the primary federal funding source devoted to supporting families with low incomes afford child care and increasing the quality of child care for all children. The CCDF program is administered by the Office of Child Care (OCC) within the Administration for Children and Families (ACF) at the U.S. Department of Health and Human Services and provides resources to State, Territory, and Tribal governments via their designated CCDF Lead Agency.

CCDF plays a vital role in supporting family well-being and child development; facilitating parental employment, training, and education; improving the economic well-being of participating families; and promoting safe high-quality care and learning environments for children when out of their parents' care.

As required by CCDBG, this CCDF Plan serves as the State/Territory Lead Agency's application for a three-year cycle of CCDF funds and is the primary mechanism OCC uses to determine Lead Agency compliance with the requirements of the statute and regulations. CCDF Lead Agencies must comply with the rules set forth in CCDBG and corresponding ACF-issued rules and regulations. The CCDF Plan is a fundamental part of OCC's oversight of CCDF and is designed to align with and complement other oversight mechanisms including administrative and financial data reporting, the monitoring process, error rate reporting, audits, and the annual Quality Progress Report.

Organization of Plan

In their CCDF Plans, State/Territory Lead Agencies must describe how they implement the CCDF program. The Plan is organized into the following sections:

1. CCDF Program Administration
2. Child and Family Eligibility and Enrollment and Continuity of Care
3. Child Care Affordability
4. Parental Choice, Equal Access, Payment Rates, and Payment Practices
5. Health and Safety of Child Care Settings
6. Support for a Skilled, Qualified, and Compensated Child Care Workforce
7. Quality Improvement Activities
8. Lead Agency Coordination and Partnerships to Support Service Delivery
9. Family Outreach and Consumer Education
10. Program Integrity and Accountability

Completing the Plan

This revised Plan aims to capture the most accurate and up-to-date information about how a State/Territory is implementing its CCDF program in compliance with the requirements of CCDF. In responding to plan questions, Lead Agencies should provide concise and specific summaries and/or bullet points as appropriate to the question. Do not insert tables or charts, add attachments, or copy manuals into the Plan. A State/Territory's CCDF Plan is intended to stand on its own with sufficient information to describe how the Lead Agency is implementing its CCDF program without need for added attachments, tables, charts, or State manuals.

OCC recognizes that Lead Agencies use different mechanisms to establish CCDF policies, such as State statute, regulations, administrative rules, policy manuals, or policy issuances. Lead Agencies must submit their CCDF Plan no later than July 1, 2024.

Review and Amendment Process

OCC will review submitted CCDF Plans for completeness and compliance with federal policies. Each Lead Agency will receive a letter approximately 90 days after the Plan is due that includes all Plan non-compliances to be addressed. OCC recognizes that Lead Agencies continue to modify and adapt their programs to address evolving needs and priorities. Lead Agencies must submit amendments to their Plans as they make substantial policy and program changes during the three-year plan cycle, including when addressing non-compliances.

Appendix 1: Implementation Plan

As part of the Plan review process, if OCC identifies any CCDF requirements that are not fully implemented, OCC will communicate a preliminary notice of non-compliance for those requirements via an emailed letter. OCC has created a standardized template for Lead Agencies to submit as their 60-day response to that preliminary notice. This template is found at Appendix 1: Lead Agency Implementation Plan. This required response via the Appendix will help create a shared understanding between OCC and the Lead Agency on which elements of a requirement are unmet, how they are unmet, and the Lead Agency's steps and associated timelines needed to fully implement those unmet elements.

CCDF Plan Submission

CCDF Lead Agencies will submit their Plans electronically through the Child Care Automated Reporting System (CARS). CARS will include all language and questions included in the final CCDF Plan template approved by the Office of Management and Budget (OMB). Note that the format of the questions in CARS could be modified from the Word version of the document to ensure compliance with Section 508 policies regarding accessibility to electronic and information technology for individuals with disabilities.

1 CCDF Program Administration

Strong organizational structures, operational capacity, and partnerships position States and Territories to administer CCDF efficiently, effectively, and collaboratively.

This section identifies the CCDF Lead Agency, CCDF Lead Agency leadership, and the entities and individuals who will participate in the implementation of the program. It also identifies the partners who were consulted to develop the Plan.

1.1 CCDF Leadership

The governor of a State or Territory must designate an agency (which may be an appropriate collaborative agency) or establish a joint interagency office to represent the State or Territory as the Lead Agency. The Lead Agency agrees to administer the program in accordance with applicable federal laws and regulations and the provisions of this Plan, including the assurances and certifications.

1.1.1 Designated Lead Agency

Identify the Lead Agency or joint interagency office designated by the State or Territory. OCC will send official grant correspondence, such as grant awards, grant adjustments, Plan approvals, and disallowance notifications, to the designated contact identified here.

- a. Lead Agency or Joint Interagency Office Information:
 - i. Name of Lead Agency: **New Mexico Early Childhood Education and Care Department**
 - ii. Street Address: **1120 Paseo de Peralta**
 - iii. City: **Santa Fe**
 - iv. State: **New Mexico**
 - v. ZIP Code: **87505**
 - vi. Web Address for Lead Agency: **www.nmececd.org**
- b. Lead Agency or Joint Interagency Official contact information:
 - i. Lead Agency Official First Name: **Elizabeth**
 - ii. Lead Agency Official Last Name: **Groginsky**
 - iii. Title: **Cabinet Secretary**
 - iv. Phone Number: **505-231-2997**
 - v. Email Address: **Elizabeth.Groginsky@eecd.nm.gov**

1.1.2 CCDF Administrator

Identify the CCDF Administrator designated by the Lead Agency, the day-to-day contact, or the person with responsibility for administering the State's or Territory's CCDF program. The OCC will send programmatic communications, such as program announcements, program instructions, and data collection instructions, to the designated contact identified here. If there is more than one designated contact with equal or shared responsibility for administering the CCDF program, identify the Co-Administrator or the person with administrative responsibilities and include their contact information.

- a. CCDF Administrator contact information:

- i. CCDF Administrator First Name: **Elizabeth**
- ii. CCDF Administrator Last Name: **Groginsky**
- iii. Title of the CCDF Administrator: **Cabinet Secretary**
- iv. Phone Number: **505-231-2997**
- v. Email Address: **Elizabeth.Groginsky@eecd.nm.gov**
- b. CCDF Co-Administrator contact information (if applicable):
 - i. CCDF Co-Administrator First Name: **Kimberly**
 - ii. CCDF Co-Administrator Last Name: **Brown**
 - iii. Title of the CCDF Co-Administrator: **Deputy Division Director for Early Care, Education, and Nutrition Division**
 - iv. Phone Number: **505-331-3577**
 - v. Email Address: **Kimberly.Brown@eecd.nm.gov**
 - vi. Description of the Role of the Co-Administrator: **The role of the co-administrator is to support the administrator with general oversight of the CCDF program.**

1.2 CCDF Policy Decision Authority

The Lead Agency has broad authority to administer (i.e., establish rules) and operate (i.e., implement activities) the CCDF program through other governmental, non-governmental, or public or private local agencies as long as the Lead Agency retains overall responsibility for the administration of the program. Administrative and implementation responsibilities undertaken by agencies other than the Lead Agency must be governed by written agreements that specify the mutual roles and responsibilities of the Lead Agency and other agencies in meeting the program requirements.

1.2.1 Entity establishing CCDF program rules

Which of the following CCDF program rules and policies are administered (i.e., set or established) at the State or Territory level or local level? Identify whether CCDF program rules and policies are established by the State or Territory (even if operated locally) or whether the CCDF policies or rules are established by local entities, such as counties or workforce boards.

Check one of the following:

- a. ☒ All program rules and policies are set or established by the State or Territory. (If checked, skip to question 1.2.2.)
- b. ☐ Some or all program rules and policies are set or established by local entities or agencies. If checked, indicate which entities establish the following policies. Check all that apply:
 - i. Eligibility rules and policies (e.g., income limits) are set by the:
 - ☐ State or Territory.
 - ☐ Local entity (e.g., counties, workforce boards, early learning coalitions).

- ☐ Other. Identify the entity and describe the policies the entity can set:
- ii. Sliding-fee scale is set by the:
 - ☐ State or Territory.
 - ☐ Local entity (e.g., counties, workforce boards, early learning coalitions).
 - ☐ Other. Identify the entity and describe the policies the entity can set:
- iii. Payment rates and payment policies are set by the:
 - ☐ State or Territory.
 - ☐ Local entity (e.g., counties, workforce boards, early learning coalitions).
 - ☐ Other. Identify the entity and describe the policies the entity can set:
- iv. Licensing standards and processes are set by the:
 - ☐ State or Territory.
 - ☐ Local entity (e.g., counties, workforce boards, early learning coalitions).
 - ☐ Other. Identify the entity and describe the policies the entity can set:
- v. Standards and monitoring processes for license-exempt providers are set by the:
 - ☐ State or Territory.
 - ☐ Local entity (e.g., counties, workforce boards, early learning coalitions).
 - ☐ Other. Identify the entity and describe the policies the entity can set:
- vi. Quality improvement activities, including QIS, are set by the:
 - ☐ State or Territory.
 - ☐ Local entity (e.g., counties, workforce boards, early learning coalitions).
 - ☐ Other. Identify the entity and describe the policies the entity can set:
- vii. Other. List and describe any other program rules and policies that are set at a level other than the State or Territory level:

1.2.2 Entities implementing CCDF services

The Lead Agency has broad authority to operate (i.e., implement activities) through other agencies, as long as it retains overall responsibility for CCDF. Complete the table below to identify which entity(ies) implements or performs CCDF services.

Check the box(es) to indicate which entity(ies) implement or perform CCDF services.

CCDF Activity	CCDF Lead Agency	TANF Agency	Local Government Agencies	CCR&R	Other
Who conducts eligibility determinations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe:

CCDF Activity	CCDF Lead Agency	TANF Agency	Local Government Agencies	CCR&R	Other
Who assists parents in locating child care (consumer education)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Describe:
Who issues payments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe:
Who monitors licensed providers?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe:
Who monitors license-exempt providers?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe:

CCDF Activity	CCDF Lead Agency	TANF Agency	Local Government Agencies	CCR&R	Other
Who operates the quality improvement activities?	[x]	[]	[]	[x]	[x] Describe: ECECD contracts with the University of New Mexico Early Childhood Services Center to implement quality initiatives activities, including coaching and technical assistance related to the state's, Quality Rating and Improvement System (QRIS), and verification of providers' quality level, and they administer the training and trainer approval system and provide ongoing professional development for child care providers and

CCDF Activity	CCDF Lead Agency	TANF Agency	Local Government Agencies	CCR&R	Other
					<p>professionals . ECECD contracts with Quorum, an online professional development platform to offer over 200 hours of courses at no cost to New Mexico's early childhood workforce. ECECD contracts with Central New Mexico to administer the state's wage supplement program, scholarship support, the mentor network, and PreK and infant and toddler pay parity initiatives. ECECD contracts with the Women's Economic Self-</p>

CCDF Activity	CCDF Lead Agency	TANF Agency	Local Government Agencies	CCR&R	Other
					<p>Sufficiency Team (WESST) to provide business and quality coaching, mini grants, and overall support in improving the supply and quality of child care in the state. ECECD also has a Memorandum of Understanding with the New Mexico Finance Authority to provide low interest loans to licensed child care providers to improve the quality and supply of child care in the state.</p>

1.2.3 Information systems availability

For any activities performed by agencies other than the Lead Agency as reported above in 1.2.1 and 1.2.2, identify the processes the Lead Agency uses to oversee and monitor CCDF administration and implementation activities to retain overall responsibility for the CCDF program.

Check and describe how the Lead Agency includes in its written agreements the required elements. Note: The contents of the written agreement may vary based on the role the agency is asked to assume or type of project but must include, at a minimum, the elements below.

- a. Tasks to be performed.

☒ Yes. If yes, describe: **ECECD's written agreements with other entities and agencies identified in 1.2.2 include a detailed scope of work (SOW) that outlines the purpose, objectives, and activities agreed upon between the ECECD and the agency or entity.**

☐ No. If no, describe:

- b. Schedule for completing tasks.

☒ Yes. If yes, describe: **ECECD's written agreements with other entities or agencies identified in 1.2.2 include a detailed schedule and timeline for task completion, ensuring clarity and accountability. These SOWs clearly identify important milestones and deadlines that must be met in order to successfully execute the project.**

☐ No. If no, describe:

- c. Budget which itemizes categorical expenditures in accordance with CCDF requirements.

☒ Yes. If yes, describe: **ECECD's written agreements with other entities or agencies identified in 1.2.2 include budgets which itemize categorical expenditures in accordance with the CCDF requirements through a process that requires all budgets for agreements and contracts go through ECECD 's Administrative Services Division (ASD) for review and approval.**

☐ No. If no, describe:

- d. Indicators or measures to assess performance of those agencies.

☒ Yes. If yes, describe: **ECECD 's written agreements with other entities or agencies identified in 1.2.2 include comprehensive monitoring and auditing procedures, along with indicators to evaluate performance. ECECD conducts regular meetings with representatives from each contracted entity to review task progress and ensure alignment with the SOW. Quarterly reports, detailing task completion and budget expenditures, are mandatory for contracted entities. In case of concerns, ECECD will initiate a performance improvement plan and closely monitor the contractor's adherence to it.**

☐ No. If no, describe:

- e. In addition to the written agreements identified above, describe any other monitoring and auditing processes used to oversee CCDF administration.

1.2.4 Certification of shareable information systems.

Does the Lead Agency certify that to the extent practicable and appropriate, any code or software for child care information systems or information technology for which a Lead Agency or other agency expends CCDF funds to develop is made available to other public agencies? This includes public agencies in other States for their use in administering child care or related programs.

☒ Yes.

☐ No. If no, describe:

1.2.5 Confidential and personally identifiable information

Certification of policies to protect confidential and personally identifiable information

Does the Lead Agency certify that it has policies in place related to the use and disclosure of confidential and personally identifiable information about children and families receiving CCDF assistance and child care providers receiving CCDF funds?

☒ Yes.

☐ No. If no, describe:

1.3 Consultation in the Development of the CCDF Plan

The Lead Agency is responsible for developing the CCDF Plan, and consultation with and meaningful input and feedback from a wide range of representatives is critical for CCDF programs to continually adapt to the changing needs of families, child care programs, and the workforce. Consultation involves meeting with or otherwise obtaining input from an appropriate agency in the development of the State or Territory CCDF Plan. As part of the Plan development process, Lead Agencies must consult with the following:

- (1) Appropriate representatives of general-purpose local government. General purpose local governments are defined by the U.S. Census at https://www2.census.gov/govs/cog/g12_org.pdf.
- (2) The State Advisory Council (SAC) on Early Childhood Education and Care (pursuant to 642B(b)(1)(A)(i) of the Head Start Act) or similar coordinating body pursuant to 98.14(a)(1)(vii).
- (3) Tribe(s) or Tribal organization(s) within the State. This consultation should be done in a timely manner and at the option of the Tribe(s) or Tribal organization(s).

1.3.1 Consultation efforts in CCDF Plan development

Describe the Lead Agency's consultation efforts in the development of the CCDF Plan, including how and how often the consultation occurred.

- a. Describe how the Lead Agency consulted with appropriate representatives of general-purpose local government: **ECECD consulted and worked closely with representatives of local governments throughout the planning process for the CCDF State Plan amendment. ECECD held a meeting on May 16, 2024, with local governments, local education agencies, councils of government, and regional education cooperatives to discuss the importance of CCDF and this draft CCDF State Plan. The meeting provided updates on the new CCDF rule changes and a draft of the 2025-2027 CCDF State Plan was shared in advance of the public hearing that was held on June 4, 2024.**
- a. Describe how the Lead Agency consulted with the State Advisory Council or similar coordinating body: **ECECD consulted on the plan with the New Mexico Early Childhood Education and Care Advisory Council (ECECAC) during their meetings on March 13, 2024**

and May 22, 2024. The council members provided valuable insights and suggestions, which helped shape and refine the CCDF Plan.

- b. Describe, if applicable, how the Lead Agency consulted with Indian Tribes(s) or Tribal organizations(s) within the State: **ECECD consulted with Indian Tribes and Tribal Organizations through its Assistant Secretary for Native American Early Education and Care who organized Tribal consultations on May 24 and May 29, 2024. Tribal leaders were invited to participate and provide feedback during designated comment periods. Representatives from all of New Mexico's 23 Tribes, Pueblos, and Nation received invitations to the meetings. ECECD was seeking input from tribal leaders on how to improve coordination around all aspects of the CCDF plan.**
- c. Identify other entities, agencies, or organizations consulted on the development of the CCDF Plan (e.g., representatives from the child care workforce, or statewide afterschool networks) and describe those consultation efforts: **ECECD also consulted on the development of the plan with the Early Childhood Education and Care Advisory Council's Program Quality and Accountability and Early Childhood Professionals Subcommittees, the Early Childhood Higher Education Task Force, Local Early Childhood System Building Coalitions, the Early Childhood Tribal Advisory Coalition, and the New Mexico Head Start Association to help shape the CCDF Plan. Participants included child care providers, educational institutions, professional development providers, coaches, consultants, local government, and community representatives.**

1.3.2 Public hearing process

Lead Agencies must hold at least one public hearing in the State or Territory, with sufficient Statewide or Territory-wide distribution of notice prior to such a hearing to enable the public to comment on the provision of child care services under the CCDF Plan.

Describe the Statewide or Territory-wide public hearing process held to provide the public with an opportunity to comment on the provision of child care services under this Plan.

- i. Date of the public hearing: **6/4/2024**
Reminder: Must be no earlier than January 1, 2024. If more than one public hearing was held, enter one date (e.g., the date of the first hearing, the most recent hearing date, or any hearing date that demonstrates this requirement).
- ii. Date of notice of public hearing: **5/2/2024**
- iii. Was the notice of public hearing posted publicly at least 20 calendar days prior to the date of the public hearing?
[x] Yes.
[] No. If no, describe:
- iv. Describe how the public was notified about the public hearing, including outreach in other languages, information on interpretation services being available, etc. Include specific website links if used to provide notice **ECECD made several efforts to ensure the public was informed about the public hearing on June 4, 2024. ECECD posted a notice of the public hearing, in both English and Spanish, on its website <https://www.nmececd.org/>. The notice was also published in three**

publications in both languages: the Albuquerque Journal www.abqjournal.com, Santa Fe New Mexican www.thenewmexican.com, and the Las Cruces Sun-News www.lcsun-news.com. The notice in both languages was also sent to child care providers and families who participate in the child care assistance program via email, and a copy was posted in the regional offices. Moreover, ECECD utilized various channels to inform child care providers about the CCDF Public hearing, including during the monthly community Zoom calls, monthly newsletters, and social media posts on ECECD's Facebook, Instagram and X. In addition, ECECD held multiple stakeholder meetings with the early childhood care community to share information about the CCDF Plan and the CCDF public hearing. The ECECD included American Sign Language (ASL) and Spanish interpretation at the public hearing.

- v. Describe how the approach to the public hearing was inclusive of all geographic regions of the State or Territory: **The public hearing was conducted both via the Zoom platform and in person and will also be recorded. ECECD will ensure that American Sign Language (ASL) and Spanish interpretation are available at the public hearing. ECECD will also provide an opportunity for the public to comment on the Plan through an online CCDF State Plan comment portal.**
- vi. Describe how the content of the Plan was made available to the public in advance of the public hearing (e.g., the Plan was made available in other languages, in multiple formats, etc.): **ECECD posted the Plan on its website on May 16, 2024. The department made several efforts to ensure the public was informed about the public hearing on June 4, 2024. ECECD posted a notice of the public hearing, in both English and Spanish, on its website <https://www.nmececd.org/>. The notice was also published in both languages in New Mexico's three largest news print publications: the Albuquerque Journal www.abqjournal.com, Santa Fe New Mexican www.thenewmexican.com, and the Las Cruces Sun-News www.lcsun-news.com. The notice in both languages was also sent to all the child care providers and families who participate in the ECECD child care assistance program via email, and a copy was posted in the regional offices. Moreover, ECECD used various channels to inform child care providers about the CCDF Public Hearing, including during the monthly ECECD-led community Zoom calls, monthly newsletters, and social media posts on ECECD's Facebook, Instagram and X. In addition, ECECD will hold multiple stakeholder meetings with the early childhood care community to share information about the CCDF Plan and the CCDF public hearing. ECECD will also provide American Sign Language (ASL) and Spanish interpretation at the public hearing and the stakeholder meetings.**
- vii. Describe how the information provided by the public was taken into consideration regarding the provision of child care services under this Plan: **Input and feedback from community meetings will help inform the final CCDF State Plan. The ECECD staff will listen to, and document suggestions and ideas shared during consultations and incorporate them into the CCDF State Plan as appropriate. By involving and collaborating with the stakeholders, ECECD will make sure the Plan addresses the needs of the diverse communities across New Mexico.**

1.3.3 Public availability of final Plan, amendments, and waivers

Lead Agencies must make the submitted and approved final Plan, any approved Plan amendments, and any approved requests for temporary waivers publicly available on a website.

- a. Provide the website link to where the Plan, any Plan amendments, and waivers (if applicable) are available. Note: A Plan amendment is required if the website address where the Plan is posted changes. <https://www.nmececd.org/ccdfsessions/>
- b. Describe any other strategies that the Lead Agency uses to make submitted and approved CCDF Plan and approved Plan amendments available to the public. Check all that apply and describe the strategies below, including any relevant website links as examples.
 - i. ☒ Working with advisory committees. Describe: **ECECD shares the final CCDF Plan, approved Plan amendments, and temporary waivers with advisory councils. Additionally, the State Plan, approved Plan Amendments, and temporary waivers are published on the ECECD website.**
 - ii. ☒ Working with child care resource and referral agencies. Describe: **ECECD shares the final CCDF Plan, approved Plan amendments, and temporary Waivers with the child care resource and referral agency and requires them to post it on their website and share with the providers on their listserv.**
 - iii. ☐ Providing translation in other languages. Describe:
 - iv. ☒ Sharing through social media (e.g., Facebook, Instagram, email). Describe: **ECECD posts the proposed CCDF State Plan, approved Plan amendments, and temporary waivers to child care providers through various social media platforms, including X, Facebook, and Instagram, as well as through monthly email communications to providers and partners.**
 - v. ☒ Providing notification to key constituents (e.g., parent and family groups, provider groups, advocacy groups, foundations, and businesses). Describe: **ECECD shares its final CCDF State Plan, approved Plan amendments, and temporary Waivers on its website and through press releases. In addition, ECECD will directly communicate the State Plan, approved Plan amendments, and temporary waivers with parent and family groups, provider associations like the New Mexico Child Care and Education Association and the New Mexico Head Start Association, as well as advocacy groups such as Growing Up New Mexico, New Mexico Voices for Children, and the New Mexico Association for the Education of Young Children. This outreach is conducted through various channels including monthly Zoom calls, newsletters, and social media posts on X, Facebook and Instagram.**
 - vi. ☐ Working with Statewide afterschool networks or similar coordinating entities for out-of-school time. Describe:
 - vii. ☒ Direct communication with the child care workforce. Describe: **ECECD posts its proposed and final CCDF State Plan, approved Plan amendments, and temporary waivers on its website. Moreover, this information is disseminated to the child care workforce through various social media platforms, including X, Facebook, and Instagram, as well as through monthly email communications to providers and other partners.**

viii. ☐ Other. Describe:

2 Child and Family Eligibility and Enrollment and Continuity of Care

Stable and reliable child care arrangements facilitate job stability for parents and healthy development of children. CCDF eligibility and enrollment policies can contribute to these goals. Policies and procedures that create barriers to families accessing CCDF, like inaccessible subsidy applications and onerous reporting requirements, interrupt a parent's ability to work and may deter eligible families from participating in CCDF.

To address these concerns, Lead Agencies must provide children with a minimum of 12 months between eligibility determinations, limit reporting requirements during the 12-month period, and ensure eligibility determination and redetermination processes do not interrupt a parent's work or school.

In this section, Lead Agencies will identify how they define eligible children and families and how the Lead Agency's eligibility and enrollment policies support access for eligible children and families.

2.1 Reducing Barriers to Family Enrollment and Redetermination

Lead Agency enrollment and redetermination policies may not unduly disrupt parents' employment, education, or job training activities to comply with the Lead Agency's or designated local entity's requirements. Lead Agencies have broad flexibility to design and implement the eligibility practices that reduce barriers to enrollment and redetermination.

Examples include developing strategies to inform families and their providers of an upcoming redetermination and the information that will be required of the family, pre-populating subsidy renewal forms, having parents confirm that the information is accurate, and/or asking only for the information necessary to make an eligibility redetermination. In addition, Lead Agencies can offer a variety of family-friendly methods for submitting documentation for eligibility redetermination that considers the range of needs for families in accessing support (e.g., use of languages other than English, access to transportation, accommodation of parents working non-traditional hours).

2.1.1 Eligibility practices to reduce barriers to enrollment

- a. Does the Lead Agency implement any of the following eligibility practices to reduce barriers at the time of initial eligibility determination? Check all that apply and describe those elements checked.
 - i. ☐ Establishing presumptive eligibility while eligibility is being determined. Describe the policy, including the populations benefiting from the policy, and identify how long the period of presumptive eligibility is:
 - ii. ☐ Leveraging eligibility from other public assistance programs. Describe:
 - iii. ☒ Coordinating determinations for children in the same household (while still ensuring each child receives 12 months of eligibility). Describe: **Currently, ECECD determines eligibility for all children within the same household at the same time of service. In federal fiscal year 2025, ECECD will coordinate determinations for all children within the same household by extending the 12-month certification period of existing child(ren) to align with the new child's 12-month certification**

period, essentially providing the family more than 12 months before having to submit documents for eligibility redetermination. This will require a systems change and a rule change.

- iv. **[x]** Self-assessment screening tools for families. Describe: **ECECD provides families with self-assessment screening tools including income eligibility guidelines and copayment calculation through printed materials and online at our child care assistance program website. ECECD also provides families with an online survey tool that allows them to enter family household and income information to determine potential program eligibility.**
- v. **[x]** Extended office hours (evenings and/or weekends).
- vi. **[x]** Consultation available via phone.
- vii. **[x]** Other. Describe the Lead Agency policies to process applications efficiently and make timely eligibility determinations: **ECECD's policies that ensure efficient and timely eligibility determinations including allowing families to apply online, through email, mail, fax, and in-person at local offices. Families are provided up to 30 days to submit required documentation. ECECD works to determine initial eligibility and redetermination within 10 working days upon receipt of all required documents from the family. ECECD utilizes the Human Services Department database for information in lieu of some required documents to reduce the burden to families. ECECD will develop a plan for establishing presumptive eligibility and leveraging eligibility from other public assistance program to improve services to families enrolling in child care assistance.**
- viii. **[]** None.

b. Does the Lead Agency use an online subsidy application?

[x] Yes.

[] No. If no, describe why an online application is impracticable.

c. Does the Lead Agency use different policies for families receiving TANF assistance?

[x] Yes. If yes, describe the policies: **ECECD prioritizes TANF recipients. Families currently receiving TANF benefits, as well as those transitioning off TANF or who have received a diversionary payment, are exempt from meeting income eligibility requirements for a period of 12 consecutive months. For TANF recipients, the work requirement includes work experience or community service or any other activity that meets the TANF work activity requirements.**

[] No.

2.1.2 Preventing disruption of eligibility activities

a. Identify, where applicable, the Lead Agency's procedures and policies to ensure that parents do not have their employment, education, or job training unduly disrupted to comply with the State's/Territory's or designated local entity's requirements for the redetermination of eligibility. Check all that apply.

- i. **[x]** Advance notice to parents of pending redetermination.

- ii. ☒ Advance notice to providers of pending redetermination.
 - iii. ☐ Pre-populated subsidy renewal form.
 - iv. ☒ Online documentation submission.
 - v. ☐ Cross-program redeterminations.
 - vi. ☒ Extended office hours (evenings and/or weekends).
 - vii. ☒ Consultation available via phone.
 - viii. ☐ Leveraging eligibility from other public assistance programs.
 - ix. ☒ Other. Describe: **ECECD offers on-site eligibility fairs as needed in communities or in child care programs.**
- b. Does the Lead Agency use different policies for families receiving TANF assistance?
- ☐ Yes. If yes, describe the policies:
- ☒ No.

2.2 Eligible Children and Families

At eligibility determination or redetermination, children must (1) be younger than age 13; (2) reside with a family whose income does not exceed 85 percent of the State's median income (SMI) for a family of the same size and whose family assets do not exceed \$1,000,000; and (3)(a) reside with a parent or parents who are working or attending a job training or educational program (which can include job search) or (b) receive, or need to receive, protective services as defined by the Lead Agency.

2.2.1 Eligibility criteria: age of children served

Lead Agencies may provide child care assistance for children less than 13 years of age, including continuing to provide assistance to children if they turn 13 during the eligibility period. In addition, Lead Agencies can choose to serve children up to age 19 if those children are unable to care for themselves.

- a. Does your Lead Agency serve the full federally allowable age range of children through age 12?
- ☒ Yes.
- ☐ No. If no, describe the age range of children served and the reason why you made that decision to serve less than the full range of allowable children.
- Note:* Do not include children incapable of self-care or under court supervision, who are reported below in 2.2.1b and 2.2.1c.
- b. Does the Lead Agency extend eligibility for CCDF-funded child care to children ages 13 and older but below age 19 who are physically and/or mentally incapable of self-care?
- ☐ No.
- ☒ Yes.
- i. If yes, the upper age is (may not equal or exceed age 19): **18.00**

- ii. If yes, provide the Lead Agency definition of physical and/or mental incapacity: **ECECD defines physical and/or mental incapacity as a child in need of Special Supervision which is defined as children between the ages of 13 and 18 who are under the supervision of a court of law, or who are determined by a medical or treatment professional to require supervision.**
- c. Does the Lead Agency extend eligibility for CCDF-funded child care to children ages 13 and older but below age 19 who are under court supervision?
☐ No.
☒ Yes. If yes, and the upper age is (may not equal or exceed age 19): **18.00**
- d. How does the Lead Agency define the following eligibility terms?
 - i. “residing with”: **ECECD defines "residing with" as living in a household which provides shelter and care for a child during the non-working hours of the child’s parent(s) or legal guardian(s).**
 - ii. “in loco parentis”: **ECECD defines "in loco parents" as a blood relative or legal guardian who has taken custody/guardianship of children.**

2.2.2 Eligibility criteria: reason for care

Lead Agencies have broad flexibility on the work, training, and educational activities required to qualify for child care assistance. Lead Agencies do not have to set a minimum number of hours for families to qualify for work, training, or educational activities, and there is no requirement to limit authorized child care services strictly based on the work, training, or educational schedule/hours of the parent(s). For example, the Lead Agency can include travel or study time in calculating the amount of needed services.

How does the Lead Agency define the following terms for the purposes of determining CCDF eligibility?

- a. Identify which of the following activities are included in your definition of “working” by checking the boxes below:
 - i. ☒ An activity for which a wage or salary is paid.
 - ii. ☒ Being self-employed.
 - iii. ☒ During a time of emergency or disaster, partnering in essential services.
 - iv. ☒ Participating in unpaid activities like student teaching, internships, or practicums.
 - v. ☒ Time for meals or breaks.
 - vi. ☒ Time for travel.
 - vii. ☒ Seeking employment or job search.
 - viii. ☒ Other. Describe: **ECECD includes teleworking in its “working” definition.**
- b. Identify which of the following activities are included in your definition of “attending job training” by checking the boxes below:
 - i. ☒ Vocational/technical job skills training.

- ii. ☒ Apprenticeship or internship program or other on-the-job training.
 - iii. ☒ English as a Second Language training.
 - iv. ☒ Adult Basic Education preparation.
 - v. ☒ Participation in employment service activities.
 - vi. ☒ Time for meals and breaks.
 - vii. ☒ Time for travel.
 - viii. ☒ Hours required for associated activities such as study groups, lab experiences.
 - ix. ☒ Time for outside class study or completion of homework.
 - x. ☐ Other. Describe:
- c. Identify which of the following diplomas, certificates, degrees, or activities are included in your definition of “attending an educational program” by checking the boxes below:
- i. ☒ Adult High School Diploma or GED.
 - ii. ☒ Certificate programs (12-18 credit hours).
 - iii. ☒ One-year diploma (36 credit hours).
 - iv. ☒ Two-year degree.
 - v. ☒ Four-year degree.
 - vi. ☒ Travel to and from classrooms, labs, or study groups.
 - vii. ☒ Study time.
 - viii. ☒ Hours required for associated activities such as study groups, lab experiences.
 - ix. ☒ Time for outside class study or completion of homework.
 - x. ☒ Applicable meal and break times.
 - xi. ☐ Other. Describe:
- d. Does the Lead Agency impose a Lead Agency-defined minimum number of hours of activity for eligibility?
- ☒ No.
- ☐ Yes.
- If yes, describe any Lead Agency-imposed minimum requirement for the following:
- ☐ Work. Describe:
- ☐ Job training. Describe:
- ☐ Education. Describe:
- ☐ Combination of allowable activities. Describe:
- ☐ Other. Describe:
- e. Does the Lead Agency allow parents to qualify for CCDF assistance based on education

and training without additional work requirements?

☒ Yes.

☐ No. If no, describe the additional work requirements:

- f. Does the Lead Agency extend eligibility to specific populations of children otherwise not eligible by including them in its definition of “children who receive or need to receive protective services?”

Note: A Lead Agency may elect to provide CCDF-funded child care to children in foster care when foster care parents are *not* working or are *not* in education/training activities, but this provision should be included in the Lead Agency’s protective services definition.

☐ No. If no, skip to question 2.2.3.

☒ Yes. If yes, answer the questions below:

Provide the Lead Agency’s definition of “protective services” by checking below the sub-populations of children that are included:

☒ Children in foster care.

☒ Children in kinship care.

☒ Children who are in families under court supervision.

☒ Children who are in families receiving supports or otherwise engaged with a child welfare agency.

☐ Children participating in a Lead Agency’s Early Head Start - Child Care Partnerships program.

☒ Children whose family members are deemed essential workers under a governor-declared state of emergency.

☒ Children experiencing homelessness.

☒ Children whose family has been affected by a natural disaster.

☒ Other. Describe: **Families who are experiencing other risks or barriers that indicate they may need additional supports and case management may be determined at-risk at the discretion of ECECD.**

- g. Does the Lead Agency waive the income eligibility requirements for cases in which children receive, or need to receive, protective services on a case-by-case basis?

☐ No.

☒ Yes.

- h. Does the Lead Agency waive the eligible activity (e.g., work, job training, education, etc.) requirements for cases in which children receive, or need to receive, protective services on a case-by-case basis?

☐ No.

☒ Yes.

- i. Does the Lead Agency use CCDF funds to provide respite care to custodial parents of

children in protective services?

☐ No.

☒ Yes.

2.2.3 Eligibility criteria: deciding entity on family income limits

How are income eligibility limits established?

☒ There is a statewide limit with no local variation.

☐ There is a statewide limit with local variation. Provide the number of income eligibility tables and describe who sets the limits:

☐ Eligibility limits are established locally only. Provide the number of income eligibility tables and describe who sets the limits:

☐ Other. Describe:

2.2.4 Initial eligibility: income limits

a. Complete the appropriate table to describe family income limits.

i. Complete the table below to provide the statewide maximum income eligibility percent and dollar limit or threshold:

Family Size	100% of SMI (\$/Month)	Maximum Initial Eligibility Limit (or Threshold) %	Maximum Initial Eligibility Limit (or Threshold) \$
1	0.00	0.00	0.00
2	4639.47	146.86	6813.33
3	5731.11	150.17	8606.67
4	6822.75	152.43	10400.00
5	7914.39	154.07	12193.33

ii. Does the Lead Agency certify that they use other funds if the income eligibility limit percent exceeds 85% SMI?

☐ Not applicable. The Lead Agency does not allow income eligibility limits above 85% SMI.

☒ Yes, the Lead Agency certifies that they use other funds (non-CCDF funds) for families with income that exceeds 85% SMI.

☐ No. The Lead Agency establishes income eligibility limits above SMI and includes CCDF funds to pay for families with income that exceeds 85% SMI. If checked, describe:

b. Complete the table below if the Lead Agency has local variation in the maximum income eligibility limit. Complete the table for the region/locality with the highest eligibility limit, region/locality with the lowest eligibility limit, and the region/locality that is most populous:

i. Region/locality with the highest eligibility limit:

Family Size	100% of SMI (\$/Month)	Maximum Initial Eligibility Limit (or Threshold) %	Maximum Initial Eligibility Limit (or Threshold) \$
1			
2			
3			
4			
5			

ii. Region/locality with the lowest eligibility limit:

Family Size	100% of SMI (\$/Month)	Maximum Initial Eligibility Limit (or Threshold) %	Maximum Initial Eligibility Limit (or Threshold) \$
1			
2			
3			
4			
5			

iii. Region/locality that is most populous:

Family Size	100% of SMI (\$/Month)	Maximum Initial Eligibility Limit (or Threshold) %	Maximum Initial Eligibility Limit (or Threshold) \$
1			
2			
3			
4			
5			

iv. Does the Lead Agency certify that they use other funds if the income eligibility limit percent exceeds 85% SMI?

☐ Not applicable. The Lead Agency does not allow income eligibility limits above 85% SMI.

☐ Yes, the Lead Agency certifies that they use other funds (not CCDF funds) for

families with income that exceeds 85% SMI.

☐ No. The Lead Agency establishes income eligibility limits above 85% SMI and includes CCDF funds to pay for families with income that exceeds 85% SMI. If checked, describe:

- c. How does the Lead Agency define “income” for the purposes of eligibility at the point of initial determination? Check all that apply:
- i. ☒ Gross wages or salary.
 - ii. ☐ Disability or unemployment compensation.
 - iii. ☒ Workers’ compensation.
 - iv. ☐ Spousal support, child support.
 - v. ☒ Survivor and retirement benefits.
 - vi. ☒ Rent for room within the family’s residence.
 - vii. ☒ Pensions or annuities.
 - viii. ☐ Inheritance.
 - ix. ☐ Public assistance.
 - x. ☒ Other. Describe: **In addition to the above, ECECD defines the following as “income”: self-employment; alimony payments; veterans administration (VA) payments except any VA payments made on behalf of the child(ren) and VA benefits for educational purposes or for disability; royalties; income from rental property; social security benefits except supplemental security income (SSI), social security disability insurance (SSDI), and social security benefits received by household children.**
- d. What is the effective date for these income eligibility limits? **April 1, 2024.**
- e. Income limits must be established and reported in terms of current SMI based on the most recent data published by the Bureau of the Census, even if the federal poverty level is used in implementing the program.
- What federal data does the Lead Agency use when reporting the income eligibility limits?
☒ LIHEAP. If checked, provide the publication year of the LIHEAP guideline estimates used by the Lead Agency: **2024**
- ☐ Other. Describe:
- f. Provide the direct URL/website link, if available, for the income eligibility limits.
<https://www.nmececd.org/child-care-assistance/#library>

2.2.5 Income eligibility: irregular fluctuations in earnings

Lead Agencies must take into account irregular fluctuations in earnings in initial eligibility determination and redetermination processes. The Lead Agency must ensure that temporary increases in income, including temporary increases that can result in a monthly income exceeding 85 percent of SMI from seasonal employment or other temporary work schedules, do not affect eligibility or family co-payments.

Check the processes that the Lead Agency uses to take into account irregular fluctuations in earnings.

- i. ☒ Average the family's earnings over a period of time (e.g., 12 months).

Identify the period of time **The household's gross monthly or annual average countable earned and unearned income, taking into account any fluctuation(s) of earnings is reviewed and will always be calculated in favor of eligibility. Current income provided to determine eligibility shall be used as an indicator of the income that is and shall be available to the household during the certification period. Fluctuation(s) of earnings may also be taken into account. When income is received on a weekly, biweekly, or semimonthly basis, the income shall be converted to monthly by averaging the income provided and multiplied by the appropriate conversion factors. If reviewed annually, clients may provide documentation to review annual income such as current w-2's, federal income taxes, and other documentation.**

- ii. ☒ Request earning statements that are most representative of the family's monthly income.

- iii. ☒ Deduct temporary or irregular increases in wages from the family's standard income level.

- iv. ☒ Other. Describe the other ways the Lead Agency takes into account irregular fluctuations in earnings: **As part of its definition of "household income" the ECECD considers the household's gross monthly or annual average countable earned and unearned income, taking into account any fluctuation(s) of earnings, and will always be calculated in favor of eligibility. Fluctuation of earnings is inconsistent or variable income throughout the year. To calculate fluctuation of earning the department may average family earnings over a period of time (e.g., 12 months) or choose to discount temporary increases in income provided that a family demonstrates an isolated increase in pay (e.g., short-term overtime).**

2.2.6 Family asset limit

- a. When calculating income eligibility, does the Lead Agency ensure each eligible family does not have assets that exceed \$1,000,000?

☒ Yes.

☐ No. If no, describe:

- b. Does the Lead Agency waive the asset limit on a case-by-case basis for families defined as receiving, or in need of, protective services?

☒ No.

☐ Yes. If yes, describe the policy or procedure:

2.2.7 Additional eligibility criteria

Aside from the eligibility conditions or rules which have been described in 2.2.1 – 2.2.6, is any additional eligibility criteria applied during:

- a. ☐ Eligibility determination? If checked, describe:
- b. ☐ Eligibility redetermination? If checked, describe:

2.2.8 Documentation of eligibility determination

Lead Agencies must document and verify that children receiving CCDF funds meet eligibility criteria at the time of eligibility determination and redetermination.

Check the information that the Lead Agency documents and verifies at initial determination and redetermination and describe what information is required and how often.

Required at Initial Determination	Required at Redetermination	Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Applicant identity. Describe how you verify: Examples of acceptable documentation or information include current or expired government issued photo identification/passport, school photo identification, government issued immigration document with photo, or employer identification with photo.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Applicant's relationship to the child. Describe how you verify: Examples of acceptable documentation or information include a birth certificate or other hospital record, or paternity papers. The ECECD may verify this information from the New Mexico Human Services Department (HSD) database, if applicant is receiving benefits from HSD. To establish custody, ECECD requires a durable power of attorney, court order, or notarized statement.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Child's information for determining eligibility (e.g., identity, age, citizen/immigration status). Describe how you verify: Examples of acceptable documentation or information include a United States birth certificate, military identification, passport, naturalization certificate, permanent resident card, Numident (from social security office), refugee/asylee letter from United States secretary of state or from homeland security, any document from immigration and naturalization services (INS), department of homeland security (DHS), or other authoritative document showing a child's immigration status that qualifies the child for assistance. ECECD may verify this information from the New Mexico Human Services Department (HSD) database, if applicant is receiving benefits from HSD.

Required at Initial Determination	Required at Redetermination	Description
[x]	[x]	<p>Work. Describe how you verify: Examples of acceptable documentation or information include paystubs; employer statement/verification of work form; client statement, if earning wages from various odd jobs/day labor; employer contract/work agreement; payroll/gross wage history. For self-employment individuals: income tax return, profit and loss statement, or common reporting standard (CRS) statement from New Mexico taxation and revenue department. Or participation in the TANF program. ECECD may, in its discretion, exempt a client or applicant from the work/education requirement upon submission of a demonstration of incapacity. Demonstration of incapacity means written documentation that an individual is unable to fulfill an eligibility requirement, such as work, school, or the ability to provide childcare, and should otherwise be excluded, in whole or in part, from eligibility determination. Written documentation of incapacity includes, but is not limited to: statements or letters on a physician's/medical professional's/treatment provider's letterhead stationery; statements, records or letters from a federal government agency that issues or provides disability benefits; statements, records or letters from a state vocational rehabilitation agency counselor; records or letters from a treatment facility/counselor; certification from a private vocational rehabilitation or other counselor that issues or provides disability benefits.</p>

Required at Initial Determination	Required at Redetermination	Description
[x]	[x]	Job training or educational program. Describe how you verify: Examples of acceptable documentation or information include proof of school schedule; statement from educational institution or job training program; or participation in the TANF program. ECECD may, in its discretion, exempt a client or applicant from the work/education requirement upon submission of a demonstration of incapacity. Demonstration of incapacity means written documentation that an individual is unable to fulfill an eligibility requirement, such as work, school, or the ability to provide childcare, and should otherwise be excluded, in whole or in part, from eligibility determination. Written documentation of incapacity includes, but is not limited to: statements or letters on a physician's/medical professional's/treatment provider's letterhead stationery; statements, records or letters from a federal government agency that issues or provides disability benefits; statements, records or letters from a state vocational rehabilitation agency counselor; records or letters from a treatment facility/counselor; certification from a private vocational rehabilitation or other counselor that issues or provides disability benefits.
[x]	[x]	Family income. Describe how you verify: Examples of acceptable documentation or information include proof of earned or unearned income: current paystubs, statement from employer, payroll history, self-employment information, divorce decree, worker's compensation stubs, retirement and pension documentation, rental income information, or Social Security benefits. The ECECD may verify this information from the New Mexico Human Services Department (HSD) database, if applicant is receiving benefits from HSD, and New Mexico Workforce Solution.

Required at Initial Determination	Required at Redetermination	Description
[x]	[]	Household composition. Describe how you verify: Application requires disclosure of all household members counted in the household composition. The household includes biological parents, stepparents, legal guardians of the child(ren) for whom child care assistance is sought, and any legal dependents of the aforementioned, living in the household, thereby constituting an economic unit. Grandparents who are not legal guardians living in the household are counted as members of the household, but their earned and unearned income is excluded from the eligibility calculations. Periods of absences: A household member may be absent from the home and will be considered as living in the home and be counted in the household composition as long as the absent household member plans to return to the home. Any parent or legal guardian who remains in the home must be working, attending school, or participating in a job training or educational program. Temporary absences include, but are not limited to, attending school, working, training, medical or other treatment, or military service.
[x]	[]	Applicant residence. Describe how you verify: Examples of acceptable documentation or information include a lease/rental agreement; utility bill; mortgage receipt; written statement from person applicant is residing with; current New Mexico driver's license; statement from landlord; or other records that provide a name and address. ECECD may verify this information from the New Mexico Human Services Department (HSD) database, if applicant is receiving benefits from HSD.
[]	[]	Other. Describe how you verify: N/A

2.2.9 Exception to TANF work requirements

Lead Agencies must ensure that families with young children participating in TANF will be informed of their right not to be sanctioned under the TANF work requirement if the custodial parent has a demonstrated inability to obtain child care for a child under age six, in accordance with Section 407(e)(2) of the Social Security Act.

- a. Identify the TANF agency that established these criteria or definitions: **New Mexico Human Services Department.**
- b. Provide the following definitions established by the TANF agency:
 - i. "Appropriate child care": **The TANF agency defines "appropriate child care" as child care that is provided by a facility or an individual that is licensed or**

registered with ECECD, provides care and supervision to a child, meets the health and safety standards established by ECECD, is able to address the special needs of a child, provides care that meets the child's age and development, and is available during the recipients hours of work, education or training.

- ii. **“Reasonable distance”: The TANF agency defines "reasonable distance" as travel to a facility located in the community or surrounding community in which the TANF recipient resides, which takes into account parental or caretaker choice and availability of transportation.**
 - iii. **“Unsuitability of informal child care”: The TANF agency defines informal child care that is deemed to be unsuitable based on the ECECD determination that the care and supervision does not meet the minimum health and safety standards established by ECECD.**
 - iv. **“Affordable child care arrangements”: The TANF agency defines “affordable child care arrangements” as services that are subsidized by ECECD, or those arrangements that are not subsidized and are made directly with a facility or an individual by the parent or caretaker, taking into account parental or caretaker choice.**
- c. How are parents who receive TANF benefits informed about the exception to the individual penalties associated with the TANF work requirements?
- i. ☐ In writing
 - ii. ☒ Verbally
 - iii. ☒ Other. Describe: **The New Mexico Human Services Department, which administers the TANF program, notifies program participants of work requirements and responsibilities. Participants are also kept informed by the NM Works contractor.**

2.3 Prioritizing Services for Vulnerable Children and Families

Lead Agencies must give priority for child care assistance to children with special needs, families with very low incomes (considering family size), and children experiencing homelessness. A Lead Agency has the flexibility to prioritize other populations of children.

Note: Statute defines children with disabilities, and CCDF rule gives flexibility to Lead Agencies to include vulnerable populations in their definition of children with special needs.

CCDF defines “child experiencing homelessness” as a child who is homeless, as defined in Section 725 of Subtitle VII-B of the McKinney-Vento Act (42 U.S.C. 11434a).

2.3.1 Lead Agency definition of priority groups

Describe how the Lead Agency defines:

- d. **“Children with special needs.” ECECD defines "children with special needs" as children with an identified disability, health, or mental health condition requiring early intervention, special education services under an Individualized Education Plan, or other specialized services and supports; or children without identified conditions, but requiring specialized services, supports, or monitoring. ECECD prioritizes child care services for**

children with special needs based on budget availability. Clients with children that have special needs will not be placed on a waitlist if one is implemented.

- e. “Families with very low incomes.” ECECD defines families with very low income as those families at or below 100 percent of the Federal Poverty Level.

2.3.2 Prioritization of child care services

Identify how the Lead Agency will prioritize child care services for the following children and families.

- a. Complete the table below to indicate how the identified populations are prioritized.

Population Prioritized	Prioritize for enrollment in child care services	Serve without placing on waiting list	Waive co-payments as described in 3.3.1	Pay higher rate for access to higher quality care	Use grants or contracts to reserve spots	Other
Children with special needs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe:
Families with very low incomes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe:
Children experiencing homelessness, as defined by CCDF	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe:
(Optional) Families receiving TANF, those attempting to transition off TANF, and those at risk of becoming dependent on TANF	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Describe:

- a. Does the Lead Agency define any other priority groups?

☐ No.

☒ Yes. If yes, identify the populations prioritized and describe how the Lead Agency prioritizes services: **If a family is identified as at-risk by the ECECD, they may be prioritized and are exempt from income and work/education requirements and will have co-payments waived.**

2.3.3 Enrollment and grace period for children experiencing homelessness

Lead Agencies must allow (after an initial eligibility determination) children experiencing homelessness to receive CCDF services while required eligibility documentation is obtained.

Lead Agencies must establish a grace period that allows children experiencing homelessness and children in foster care to receive CCDF assistance while providing their families with a reasonable time to take any necessary actions to comply with State, Territory, or local immunization and other health and safety requirements. The length of such a grace period must be established in consultation with the State, Territorial, or Tribal public health agency.

Note: Any payment for such a child during the grace period may not be considered an error or improper payment.

- a. Describe the strategies to allow CCDF enrollment of children experiencing homelessness while required eligibility documentation is obtained: **Children experiencing homelessness may be served through the at-risk category. The income, work, and education requirements and co-payments are waived for families in the at-risk category. This allows the family 12-months to acquire all required eligibility documentation.**
- b. Describe the grace period for each population below and how it allows them to receive CCDF assistance while providing their families with a reasonable time to take any necessary actions to comply with immunization and other health and safety requirements.
 - i. Provide the policy for a grace period for:

Children experiencing homelessness: **ECECD allows providers a grace period of a maximum of 30 days to obtain an up-to-date immunization record or a public health division approved exemption from the requirement for homeless children and youth. ECECD will work with families experiencing homelessness to obtain missing immunization records by coordinating with Homeless Education liaisons when appropriate. Families experiencing homelessness may be served through the at-risk category. The income, work, and education requirements and co-payments are waived for clients in the at-risk category. This allows the family 12 months to acquire all required eligibility documentation.**

Children who are in foster care: **The Children Youth and Families Department (CYFD) determines child care eligibility for foster care. ECECD allows a 30-day grace period to comply with immunization requirements.**
 - ii. Does the Lead Agency certify that the length of the grace period was established in consultation with the State, Territorial, or Tribal public health agency?

☒ Yes.

☐ No. If no, describe:
- c. Describe how the Lead Agency coordinates with licensing agencies and other relevant State, Territorial, Tribal, and local agencies to provide referrals and support to help families with children receiving services during a grace period comply with immunization and other health and safety requirements: **ECECD coordinates with the Public Education Department's McKinney Vento Homeless Liaisons and the Department of Health's Immunization Program to provide support to help families with children receiving services during a grace period to comply with immunization and other health and safety requirements. ECECD licensing staff are members of the Department of Health's Vaccine Advisory Committee which provides annual recommendations with regard to School and Child Care Immunization Requirements. The Department of Health administers a**

Statewide Immunization Information System (NMSIIS) which is a confidential, computerized repository of individual immunization records that integrates information from birth and death records, public and private healthcare providers, and parental records. ECECD coordinated with the Department of Health to provide child care providers access to NMSIIS.

2.4 Lead Agency Outreach to Families Experiencing Homelessness, Families with Limited English Proficiency, and Persons with Disabilities

The Lead Agency must conduct outreach and provide services to families with limited English proficiency, families experiencing homelessness, and persons with disabilities.

2.4.1 Families with limited English proficiency and persons with disabilities: outreach and services

- a. Check the strategies the Lead Agency or partners utilize to conduct outreach and provide services to eligible families with limited English proficiency. Check all that apply.
 - i. ☐ Application in languages other than English (application and related documents, brochures, provider notices).
 - ii. ☒ Informational materials in languages other than English.
 - iii. ☒ Website in languages other than English.
 - iv. ☐ Lead Agency accepts applications at local community-based locations.
 - v. ☒ Bilingual caseworkers or translators available.
 - vi. ☒ Bilingual outreach workers.
 - vii. ☒ Partnerships with community-based organizations.
 - viii. ☒ Collaboration with Head Start, Early Head Start, or Migrant and Seasonal Head Start.
 - ix. ☒ Home visiting programs.
 - x. ☒ Other. Describe: **All written materials are translated into Spanish and simultaneous interpretation services are provided for webinars, meetings, and presentations.**
- b. Check the strategies the Lead Agency or partners utilize to conduct outreach and provide services to eligible families with a person(s) with a disability. Check all that apply.
 - i. ☒ Applications and public informational materials available in braille and other communication formats for access by individuals with disabilities.
 - ii. ☐ Websites that are accessible (e.g., Section 508 of the Rehabilitation Act).
 - iii. ☐ Caseworkers with specialized training/experience in working with individuals with disabilities.
 - iv. ☒ Ensuring accessibility of environments and activities for all children.
 - v. ☒ Partnerships with State and local programs and associations focused on disability- related topics and issues.

- vi. **[x]** Partnerships with parent associations, support groups, and parent-to-parent support groups, including the Individuals with Disabilities Education Act (IDEA) federally funded Parent Training and Information Centers.
- vii. **[x]** Partnerships with State and local IDEA Part B, Section 619 and Part C providers and agencies.
- viii. **[x]** Availability and/or access to specialized services (e.g., mental health, behavioral specialists, therapists) to address the needs of all children.
- ix. **[x]** Other. Describe: **If a person with a disability requires information in an alternative format or special accommodations to participate in the child care program, they may contact the ECECD at 1-800-832-1321. ECECD will work internally and with community partners to assist with resources and outreach to help meet the needs of the individual or family.**

2.4.2 Families experiencing homelessness: Outreach and technical assistance efforts

- a. Check, where applicable, the procedures used to conduct outreach for children experiencing homelessness and their families.
 - i. **[x]** Lead Agency accepts applications at local community-based locations.
 - ii. **[x]** Partnerships with community-based organizations.
 - iii. **[x]** Partnering with homeless service providers, McKinney-Vento liaisons, and others who work with families experiencing homelessness to provide referrals to child care.
 - iv. **[x]** Other. Describe: **ECECD meets regularly with the New Mexico Coalition to End Homelessness (NMCEH), a statewide association of agencies and individuals responsible for the system of housing and services. NMCEH is the Collaborative Applicant for New Mexico Balance of State Region for the federal Continuum of Care Homeless Assistance program. The purpose of the meetings are twofold: to provide input in each other's implementation plans and include processes for ongoing collaboration and communication. In addition, the ECECD works with the New Mexico Public Education Department (PED) McKinney-Vento representative to collaborate on providing outreach to families experiencing homelessness. This includes posters, flyers, referrals, brochures, posting on the ECECD and PED websites, and mutual webinars. There are two child care centers in New Mexico that serve the homeless population (Albuquerque and Las Cruces).**
- b. The Lead Agency must provide training and technical assistance (TA) to providers and appropriate Lead Agency (or designated entity) staff on identifying and serving children and families experiencing homelessness.
 - i. Describe the Lead Agency's training and TA efforts for providers in identifying and serving children and their families experiencing homelessness. **When needs for support are identified, the child care provider may contact the ECECD to be connected with a consultant. ECECD staff coordinate with the McKinney Vento liaisons within the public schools. ECECD partners with PED's State Coordinator for the Education for Homeless Children and Youth to develop a training program. The partnership includes a focus on planning more intentional supports and**

technical assistance for child care providers who serve children and families experiencing homelessness.

- ii. Describe the Lead Agency's training and TA efforts for Lead Agency (or designated entity) staff in identifying and serving children and their families experiencing homelessness. **Many families experiencing homelessness qualify for child care assistance through at-risk child care. ECECD partners with the state McKinney-Vento liaisons within the Public Education Department to improve access to child care services for homeless children. These collaborative efforts entail working jointly to improve access to services and addressing the unique needs that arise for homeless children and their families. Referral processes are in place for staff liaisons to coordinate services. ECECD has designated staff to process such referrals and provide outreach as needed. These staff receive trauma-informed training, and attend training and conferences geared toward working with families experiencing homelessness and other topics that may support at-risk families.**

2.5 Promoting Continuity of Care

Lead Agencies must consider children's development and promote continuity of care when authorizing child care services and must establish a minimum 12-month period for each child, both at the initial eligibility determination and redetermination.

2.5.1 Children's development

Describe how the Lead Agency's eligibility, enrollment, reporting, and redetermination policies promote continuity of care in order to support children's development. **ECECD promotes continuity of care by: - Coordinating with early learning programs or school-age programs to make arrangements that adequately accommodate parents' work schedules - Determining whether the child has an individualized Education Program (IEP) or Individual Family Services Plan (IFSP) - Partnering with IDEA Part B, Section 619 and Part C staff to identify how services included in a child's IEP or IFSP can be supported or provided onsite and in collaboration with child care services - Implementing policies and procedures that promote inclusive activities and environments accessible to all children, including children with sensory, physical, or other disabilities-Providing more intensive care management for families with children with multiple risk factors-Using cross-enrollment or referrals to other public benefits.**

2.5.2 Minimum 12-month eligibility

Lead Agencies must establish a minimum 12-month eligibility period for each child, both at the initial eligibility determination and at redetermination to support continuity in child care assistance and reduce barriers to families retaining eligibility. This requirement is:

- Regardless of changes in income, Lead Agencies may not terminate CCDF assistance during the minimum 12-month period if a family has an increase in income that exceeds the Lead Agency's income eligibility threshold but not the federal threshold of 85 percent of SMI; and
- Regardless of temporary changes in participation in work, training, or educational activities.
 - a. Does the Lead Agency certify that their policies or procedures provide a minimum 12-month eligibility period for each child at initial eligibility determination?

[x] Yes.

☐ No. If no, describe:

- b. Does the Lead Agency certify that its definition of “temporary change” includes each of the minimum required elements?

1. Any time-limited absence from work for an employed parent due to such reasons as the need to care for a family member or an illness.
2. Any interruption in work for a seasonal worker who is not working between regular industry work seasons.
3. Any student holiday or break for a parent participating in a training or educational program.
4. Any reduction in work, training, or education hours, as long as the parent is still working or attending a training or educational program.
5. Any cessation of work or attendance at a training or educational program not listed above. In these cases only, Lead Agencies may establish a period of 3 months or longer.
6. Any change in age, including a child turning 13 years old during the minimum 12-month eligibility period.
7. Any changes in residency within the State or Territory.

☒ Yes.

☐ No. If no, describe:

- c. Are the policies different for redetermination?

☒ No.

☐ Yes. If yes, provide the additional/varying policies for redetermination:

2.5.3 Job search and continued assistance

- a. Does the Lead Agency consider seeking employment (engaging in a job search) as an eligible activity at initial eligibility determination and/or at the minimum 12-month eligibility redetermination? (Note: If yes, Lead Agencies must provide a minimum of 3 months of job search.) Check all that apply:

- i. ☒ Yes. The Lead Agency does consider seeking employment (engaging in a job search) as an eligible activity at initial eligibility determination. If yes, describe: **The client will be given a three-month grace period for seeking employment which may extended at the discretion of the ECECD.**
- ii. ☒ Yes. The Lead Agency does consider seeking employment (engaging in a job search) as an eligible activity at redetermination. If yes, describe: **The client will be given a three-month grace period for seeking employment which may extended at the discretion of the ECECD.**
- iii. ☐ No. The Lead Agency does not consider seeking employment (engaging in a job search) as an eligible activity at initial eligibility determination or redetermination.

- b. Does the Lead Agency continue assistance during the minimum 12-month eligibility period when a parent has a non-temporary loss or cessation of eligible activity?

☐ Yes. The Lead Agency continues assistance.

☒ No, the Lead Agency discontinues assistance.

- i. If no, describe the Lead Agency's policies for discontinuing assistance due to a parent's non-temporary change: **If a client experiences a non-temporary change in activity, the child care placement agreement may close; however, the client will remain eligible for the approved 12-month eligibility period.**
- ii. If no, describe what specific actions/changes trigger the job-search period after each such loss or cessation: **If a client experiences a cessation of work or attendance at a training or education program, the family will have a three-month grace period to resume participation in an eligible activity. The client will remain eligible during this temporary loss or cessation of eligible activity. A client must notify the department of any non-temporary change in activity. This notification must be provided within 14 calendar days from the last day of the grace period. At such a time the change will be considered a non-temporary change, and the child care placement agreement may be closed; however, the client will remain eligible for the approved 12-month eligibility period. The client will be allowed to obtain a new child care placement upon securing a new qualifying activity within the 12-month eligibility period.**
- iii. If no, how long is the job-search period where a family can continue assistance (must be at least 3 months)? **A three-month grace period is granted when a parent experiences a cessation of work or attendance at a training or education program.**

c. The Lead Agency may discontinue assistance prior to the next minimum 12-month redetermination in the limited circumstances listed below. Check and provide the policy for all circumstances in which the Lead Agency chooses to discontinue assistance prior to the next minimum 12-month redetermination:

- i. ☐ Not applicable.
- ii. ☒ Excessive unexplained absences despite multiple attempts by the Lead Agency or designated entity to contact the family and provider, including the prior notification of a possible discontinuation of assistance.

Provide the Lead Agency's policy defining the number of unexplained absences identified as excessive: **ECECD's Family's Child Care Assistance (CCA) regulations require child care providers to notify ECECD if child care has not been used for 14 consecutive calendar days without notice from the family. Without notice from the family, CCA will close the placement agreement but leave the case open for the approved 12-month eligibility period. The provider will be paid through the 14th calendar day following the last day of attendance.**

- iii. ☒ A change in residency outside of the State or Territory.

Provide the Lead Agency's policy for a change in residency outside the State or Territory: **ECECD's Child Care Assistance regulations allow a case to be suspended at the request of the client if child care benefits are not being utilized, such as in the case of change in residency outside the State,**

with payment being discontinued to the provider. The client will remain eligible for Child Care Assistance through the remainder of their eligibility period.

- iv. ☒ Substantiated fraud or intentional program violations that invalidate prior determinations of eligibility.

Provide the Lead Agency's definition of fraud/intentional program violations that lead to discontinued assistance: **As outlined in the ECECD's CCA regulations, the purposeful misrepresentation of facts relating to eligibility for benefits, or knowingly omitting information that affects eligibility is fraud and appropriate sanctions, including recoupment, termination of benefits, and referral to law enforcement, are initiated by the department. Fraudulent cases are reported to the department, which will take such action as is deemed necessary. The case remains open at the same rate of benefits until the investigation is concluded and disposition is determined. In cases where substantiated fraud has been determined, the department may disqualify a client or provider until their debt has been paid in full.**

2.5.4 Reporting changes during the minimum 12-month eligibility period

Lead Agencies may only require families to report changes that impact a family's eligibility, including only if the family's income exceeds 85 percent of the SMI, taking into account irregular fluctuations in income, or there is a non-temporary change in the parent's work, training, or education status, during the 12-month eligibility period. Lead Agencies may also require families to report that enable the lead agency to contact the family or pay providers, such as a new telephone number or address.

Note: The response below should exclude reporting requirements for a graduated phase-out, which are described in question 2.5.5.

Does the Lead Agency limit what families must report during the 12-month eligibility period to the changes described above?

☒ Yes.

☐ No. If no, describe:

2.5.5 Policies and procedures for graduated phase-out of assistance at redetermination

Lead Agencies that establish initial family income eligibility below 85 percent of SMI must provide a graduated phase-out of assistance for families whose income has increased above the Lead Agency's initial income threshold at the time of redetermination but remains below the federal threshold of 85 percent of SMI.

Lead Agencies that provide a graduated phase-out must implement a two-tiered eligibility threshold, with the second tier of eligibility (used at the time of eligibility redetermination) to be set at:

- (i) 85 percent of SMI for a family of the same size; or,
- (ii) An amount lower than 85 percent of SMI for a family of the same size but above the Lead Agency's initial eligibility threshold that:

- (A) Takes into account the typical household budget of a family with a low income
- (B) Provides justification that the second eligibility threshold is:
 - (1) Sufficient to accommodate increases in family income over time that are typical for workers with low incomes and that promote and support family economic stability
 - (2) Reasonably allows a family to continue accessing child care services without unnecessary disruption

At redetermination, a child must be considered eligible if their parents are participating in an eligible activity even if their income exceeds the Lead Agency's initial eligibility income limit as long as their income does not exceed the second tier of eligibility. Note that once determined eligible, the child must be considered eligible for a full minimum 12-month eligibility period, even if the parents' income exceeds the second tier of eligibility during the eligibility period, as long as it does not exceed 85 percent of SMI.

A child eligible for services via the graduated phase-out of assistance is considered eligible under the same conditions as other eligible children with the exception of the co-payment restrictions, which do not apply to a graduated phase-out. To help families transition from child care assistance, Lead Agencies may gradually adjust co-payment amounts in proportion to a family's income growth for families whose children are determined eligible under a graduated phase-out. Lead Agencies may require additional reporting on changes in family income but must still ensure that any additional reporting requirements do not constitute an undue burden on families.

Check and describe the option that best identifies the Lead Agency's policies and procedures regarding the graduated phase-out of assistance.

- a. ☒ Not applicable. The Lead Agency sets its initial eligibility threshold at 85 percent of SMI and therefore is not required to provide a graduated phase-out period. (If checked, skip to question 3.1.1.)
- b. ☐ The Lead Agency sets the second tier of eligibility at 85 percent of SMI. If checked, describe the policies and procedures:
 - i. ☐ Lead Agency adjusts the family's co-pay during the graduated phase-out period. If checked, describe how the Lead Agency gradually adjusts co-payment for families under a graduated phase-out period in proportion to a family's income growth. Include information on the percentage or amount of change made in the co-payment during graduated phase-out:
 - ii. ☐ Lead Agency requires additional reporting requirements during the graduated phase-out period. If checked, describe:
- c. ☐ The Lead Agency sets the second tier of eligibility at an amount lower than 85 percent of SMI for a family of the same size but above the Lead Agency's initial eligibility threshold. If checked, provide the following information:
 - i. Provide the income level (\$/month) and the percent of SMI for the second tier of eligibility for a family of three:
 - ii. Describe how the second eligibility threshold takes into account the typical household budget of a low-income family:
 - iii. Describe how the second eligibility threshold is sufficient to accommodate

increases in family income over time that are typical for low-income workers and that promote and support family economic stability:

- iv. Describe how the second eligibility threshold reasonably allows a family to continue accessing child care services without unnecessary disruption:
- v. ☐ Lead Agency adjusts the family's co-pay during the graduated phase-out period. If checked, describe how the Lead Agency gradually adjusts co-payment for families under a graduated phase-out period in proportion to a family's income growth. Include information on the percentage or amount of change made in the co-payment during graduated phase-out:
- vi. ☐ Lead Agency requires additional reporting requirements during the graduated phase-out period. If checked, describe:

3 Child Care Affordability

CCDF subsidies make child care more affordable for eligible families, providing access to a greater range of child care options that allow parents to work, go to school, or enroll in training and they allow parents to access higher quality care options that better support children's development. CCDF requires some families participating in CCDF to pay an affordable co-payment set by the Lead Agency to cover a part of their care. But co-payments can be a significant and destabilizing financial strain on family budgets and a barrier to parent employment, and the CCDBG Act requires that the co-payment amount not be a barrier to families participating in CCDF. Lead Agencies may not set parent co-payments above 7% of family income regardless of gradual phase-out policies and regardless of the number of children receiving assistance. Lead Agencies are encouraged to set co-payments much lower than 7% to make child care more affordable for more families and have broad flexibility to waive co-payments for too many participants. Lead Agencies must ensure that the total payment to a child care provider is not reduced because of family's lowered or waived co-payment.

In this section, Lead Agencies will identify how they determine an eligible family's co-payment, the policies in place to waive or ensure co-payments are affordable for families, and how the Lead Agency improves access for children and families in economically and/or socially marginalized communities.

3.1 Family Co-payments

Lead Agencies must establish and periodically revise a sliding-fee scale for families receiving CCDF services that varies based on income and the size of the family to determine each family's contribution (i.e., co-payment) and does not create a barrier to receiving CCDF assistance. In addition to income and the size of the family, the Lead Agency may use other factors as appropriate when determining family contributions/co-payments. Lead Agencies may not use price of care or amount of subsidy payment in determining co-payments. Lead Agencies must ensure that the total payment to a child care provider is not reduced because of family's lowered or waived co-payment.

3.1.1 Family co-payment

Lead Agencies may not charge any family more than 7% of a family's gross income, regardless of the number of children participating in CCDF.

- a. What is the maximum percent of a family's gross income any family could be charged as a co-payment? **The maximum percent of a family's gross income any family can be charged is five percent.**
- b. Does the Lead Agency certify that their sliding fee scales are always based on income and family size (regardless of how many different scales they may use)?

☒ Yes.

☐ No. If no, describe:

3.1.2 Sliding fee scale

Provide the CCDF co-payments for eligible families in the table(s) below according to family size for one child in care.

- a. Is the sliding fee scale set statewide?

☒ Yes.

☐ No. If no, describe how the sliding fee scale is set:

- b. Complete the table below. If the sliding fee scale is not set statewide, complete the table for the most populous locality:

	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>
Family Size	Lowest monthly income at initial eligibility where the family is first charged a co-pay (greater than \$0).	What is the monthly co-payment for a family of this size based on the income level in (A)?	What percentage of income is the co-payment in (B)?	Highest monthly income at initial eligibility where a family is charged a co-pay before a family is no longer eligible.	What is the monthly co-payment for a family of this size based on the income level in (D)?	What percentage of income is this co-payment in (E)?
1	0.00	0.00	0.00	0.00	0.00	0.00
2	3151.17	9.00	0.29	6813.41	341.00	5.00
3	3980.59	12.00	0.29	8606.77	430.00	5.00
4	4810.01	14.00	0.29	10400.12	520.00	5.00
5	5639.42	17.00	0.29	12193.48	610.00	5.00

- c. What is the effective date of the sliding-fee scale(s)? **The current copayment chart was effective as of its posting on the ECECD's website March 30, 2023. New Mexico will use state general funds to waive copayment for a portion of the CCDF population.**
- d. Provide the link(s) to the sliding-fee scale(s): **<https://www.nmececd.org/child-care-assistance/>**

The fee schedule is posted under the document library.

- e. Does the Lead Agency allow providers to charge families additional amounts above the required co-payment in instances where the provider's price exceeds the subsidy payment?

☒ No.

☐ Yes.

If yes:

- i. Provide the rationale for the Lead Agency's policy to allow providers to charge families additional amounts above the required co-payment, including a demonstration of how the policy does not provide a barrier and promotes affordability and access for families:
- ii. Provide data (including data on the size and frequency of such amounts) on the extent to which CCDF providers charge additional amounts to families:

3.2 Calculation of Co-Payment

Lead agencies must calculate a family's contribution (or co-payment), taking into account income and family size, and Lead Agencies may choose to consider other factors in their calculation.

3.2.1 Family co-payment calculation

- a. How is the family's contribution calculated, and to whom is it applied? Check if the fee is a dollar amount or if the fee is a percent of income below, and then check all that apply under the selection, as appropriate.

- i. ☐ The fee is a dollar amount and (check all that apply):

☐ The fee is per child, with the same fee for each child.

☐ The fee is per child and is discounted for two or more children.

☐ The fee is per child up to a maximum per family.

☐ No additional fee is charged after a certain number of children.

☐ The fee is per family.

☐ The contribution schedule varies because it is set locally/regionally (as indicated in 1.2.1). Describe:

☐ Other. Describe:

- ii. ☒ The fee is a percent of income and (check all that apply):

☐ The fee is per child, with the same percentage applied for each child.

☒ The fee is per child, and a discounted percentage is applied for two or more children.

☐ The fee is per child up to a maximum per family.

☒ No additional percentage is charged after a certain number of children.

☐ The fee is per family.

☐ The contribution schedule varies because it is set locally/regionally (as

indicated in 1.2.1). Describe:

☐ Other. Describe:

- b. Does the Lead Agency use other factors in addition to income and family size to determine each family's co-payment? (Lead Agencies may not use price of care or amount of subsidy payment in determining co-payments).

☐ No.

☒ Yes.

If yes, check and describe those additional factors below:

- i. ☒ Number of hours the child is in care. Describe: **Copayments for children in part-time care are determined based on the units of service. Currently, ECECD is waiving copayments for all families.**
 - ii. ☐ Quality of care (as defined by the Lead Agency). Describe:
 - iii. ☒ Other. Describe: **Effective August 2023, ECECD implemented a policy change within its Child Care Assistance Program (CCA), ensuring that providers and families receive a three-month notice before any reinstatement of copayments.**
- c. Describe any other policies the Lead Agency uses in the calculation of family co-payment to ensure it does not create a barrier to access. Check all that apply:
- i. ☐ Base co-payments on only a portion of the family's income. For instance, only consider the family income over the federal poverty level.
 - ii. ☒ Base co-payments on the number of children in the family and reduce a portion of the co-payments as the number of children being served increases.
 - iii. ☐ Other. Describe:

3.3 Waiving Family Co-payment

3.3.1 Waiving family co-payment

The Lead Agency may waive family contributions/co-payments for many families to lower their costs and maximize affordability for families. Lead Agencies have broad flexibility in determining for which families they will waive co-payments.

Does the Lead Agency waive family contributions/co-payments?

☐ No, the Lead Agency does not waive any family contributions/co-payments. (Skip to question 4.1.1.)

☒ Yes. If yes, identify and describe which family contributions/co-payments waived.

- i. ☒ Families with an income at or below 100% of the Federal Poverty Level for families of the same size.
- ii. ☒ Families with an income above 100% but at or below 150% of the Federal Poverty Level for families of the same size.
- iii. ☒ Families experiencing homelessness.

- iv. ☒ Families with children with disabilities.
- v. ☐ Families enrolled in Head Start or Early Head Start.
- vi. ☒ Children in foster care or kinship care, or otherwise receiving or needing to receive protective services. Describe the policy: **ECECD waives income, work and education requirements and copayments for children in foster care or kinship care.**
- vii. ☐ Families meeting other criteria established by the Lead Agency. Describe the policy:

4 Parental Choice, Equal Access, Payment Rates, and Payment Practices

Core purposes of CCDF are to provide participating parents choice in their child care arrangements and provide their children with equal access to child care compared to those children not participating in CCDF. CCDF requirements approach equal access and parental choice comprehensively to meet these foundational program goals. Providing access to a full range of child care providers helps ensure that families can choose a child care provider that meets their family's needs. CCDF payment rates and practices must be sufficient to support equal access by allowing child care providers to recruit and retain skilled staff, provide high-quality care, and operate in a sustainable way. Supply-building strategies are also essential.

This section addresses many of the CCDF provisions related to equal access, including access to the full range of providers, payment rates for providers, co-payments for families, payment practices, differential payment rates, and other strategies that support parental choice and access by helping to ensure that child care providers are available to serve children participating in CCDF.

In responding to questions in this section, OCC recognizes that each Lead Agency identifies and defines its own categories and types of care. OCC does not expect Lead Agencies to change their definitions to fit the CCDF-defined categories and types of care. For these questions, provide responses that closely match the CCDF categories of care.

4.1 Access to Full Range of Provider Options

Lead Agencies must provide parents a choice of providers and offer assistance with child care services through a child care certificate (or voucher) or with a child care provider that has a grant or contract for the provision of child care services. Lead Agencies are reminded that policies and procedures should not restrict parental access to any type or category of care or provider (e.g., center care, home care, in-home care, for-profit provider, non-profit provider, or faith-based provider, etc.).

4.1.1 Parent choice

- a. Identify any barriers to provider participation, including barriers related to payment rates and practices, (including for family child care and in-home providers), based on provider feedback, public comment, and reports to the Lead Agency: **Barriers to provider participation related to payment rates and practices are being collected through the 2024 New Mexico Cost of Care and Rate Survey. ECECD asks child care centers, family child care homes, and group home providers if they participate in the Child Care Assistance Program. If not, the survey asks what the barriers or challenges are, if any, to participating in the**

Child Care Assistance Program. The survey will be completed in the summer of 2024 and the results will be published in the updated cost estimation model report.

- b. Does the Lead Agency offer child care assistance through vouchers or certificates?
☒ Yes.
☐ No.
- c. Does the Lead Agency offer child care assistance through grants or contracts?
☒ Yes.
☐ No.
- d. Describe how the parent is informed that the child care certificate allows the option to choose from a variety of child care categories, such as private, not-for-profit, faith-based providers; centers; family child care homes; or in-home providers: **The parent is informed of the option to choose from a variety of child care categories primary at the time of application. ECECD also includes a consumer education statement in the family's rights and responsibilities section of their placement agreement. The consumer education informs the family of their right to select a provider of their choice and provides the link to the New Mexico Child Care Finder, phone number to New Mexico Resource and Referral for assistance with finding a provider. The New Mexico Child Care Finder at <https://childcare.ececd.nm.gov/search>, is an easy to search tool designed to help families choose the most compatible child care provider for their children. Parents can search over 1,000 child care providers available across the state, using filters like ZIP code, age, tuition, days of operation and language support.**
- e. Describe what information is included on the child care certificate: **ECECD has a Child Care Placement Agreement with the parent or guardian and the child care provider. Information included in the agreement includes parent's or guardian's demographic information, the effective dates of the agreement, the determined child care priority type, the number of approved care hours and service units, and the parent's or guardian's copay responsibility. The agreement includes an acknowledgement of terms and conditions, which the parent or guardian and the provider must sign. The agreement is issued to the parent or guardian after they have selected a child care provider. The parent or guardian of each eligible child has the option to select a child care provider of their choice, as outlined in the consumer education statement in the family's rights and responsibilities section. The consumer education statement also included information about how to view the health and safety requirements child care providers must follow, their compliance history, and how to report concerns related to the child care provider.**

4.2 Assess Market Rates and Analyze the Cost of Child Care

To establish subsidy payment rates that ensure equal access, Lead Agencies must collect and analyze statistically valid and reliable data and have the option to conduct either a (1) market rate survey (MRS) reflecting variations in the price to parents of child care services by geographic area, type of provider, and age of child, or (2) an ACF pre-approved alternative methodology, such as a cost estimation model, which estimates the cost of care by incorporating both data and assumptions to estimate what expected costs would be incurred by child care providers and

parents under different scenarios. All Lead Agencies must analyze the cost of providing child care through a narrow cost analysis or pre-approved alternative methodology.

Prior to conducting the MRS or pre-approved alternative, Lead Agencies must consult with the State Advisory Council on Early Childhood Education and Care (designated or established pursuant to the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)) or similar coordinating body, local child care program administrators, local child care resource and referral agencies, and other appropriate entities; and organizations representing child care caregivers, teachers, and directors. Prior to conducting the MRS or pre-approved alternative methodology, Lead Agencies must consult with the State Advisory Council on Early Childhood Education and Care (designated or established pursuant to the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)) or similar coordinating body, local child care program administrators, local child care resource and referral agencies, and other appropriate entities; and organizations representing child care caregivers, teachers, and directors.

Note: Any Lead Agency considering using an alternative methodology instead of a market rate survey to set payment rates, is required to submit a description of its proposed approach to OCC for pre-approval in advance of developing and conducting the alternative methodology. Advance approval is not required if the Lead Agency plans to implement both an MRS and an alternative methodology to set rates at a percentile of the market rate, but a Lead Agency conducting a limited market rate survey and using it to inform their cost model would need pre-approval for this approach. In its request for ACF pre-approval, a Lead Agency must provide details on the following elements of their proposed alternative methodology:

- Overall approach and rationale for using proposed methodology
- Description of stakeholder engagement
- Data collection timeframe (if applicable)
- Description of the data and assumptions included in the methodology, including how these elements will yield valid and reliable results from the model
- Description of how the methodology will capture the universe of providers, and reflect variations by provider type, age of children, geographic location, and quality

4.2.1 Completion of the market rate survey or ACF pre-approved alternative methodology

Did the Lead Agency conduct a statistically valid and reliable MRS or ACF pre-approved alternative methodology to meet the CCDF requirements to assess child care prices and/or costs and determine payment rates? Check only one based on which methodology was used to determine your payment rates.

- a. ☐ Market rate survey.
- i. When were the data gathered (provide a date range; for instance, September – December 2023)?
- b. ☒ ACF pre-approved alternative methodology.
- i. ☐ The alternative methodology was completed.
- ii. ☒ The alternative methodology is in process.

If the alternative methodology was completed:

When were the data gathered and when was the study completed?

Describe any major differences between the pre-approved methodology and the final methodology used to inform payment rates. Include any major changes to stakeholder engagement, data, assumptions or proposed scenarios.

If the alternative methodology is in progress:

Provide a status on the alternative methodology and timeline (i.e., dates when the alternative methodology activities will be conducted, any completed steps to date, anticipated date of completion, and expected date new rates will be in effect using the alternative methodology). **ECECD's current rates are based on its 2021 alternative methodology model and the department is in the process of updating its alternative methodology model for 2025-2027. ECECD updated its rates in August 2023 using the 2021 alternative methodology model. ECECD will use the flexibilities allowed by the Office of Child Care and will complete its updated alternative methodology in September 2024 and implement new rates to align with the state's 2026 budget cycle. ECECD has been actively engaged in the alternative methodology process since October 2023 when the state's Early Childhood Education and Care Advisory Council (ECECAC) approved the continued use of alternative methodology to inform the state's subsidy rates. The ACF Pre Approval letter was submitted in December 2023 to the Region VI Administrator and approval was granted in March 2024. The creation of the Alternative Methodology Task Force was initiated at the December 2023 ECECAC meeting, membership includes members from across the Council's four subcommittees. This Task Force, includes representation from 16 different organizations allowing for diverse participation from different areas of the state, has met monthly since January 2024, and will continue to meet through the summer of 2024. The Alternative Methodology Task Force has supported constituent and provider engagement with the dissemination of the Cost of Care and Rate survey that has been distributed to different types of child care providers across the state, including center directors, family child care owners, and registered homes. The survey launched in April 2024, and closed May 2024. A total of 279 provider surveys were completed and were reflective of the total programs in the state, by provider type and region. . The Task Force has also supported engagement in input sessions across the state; nine sessions were completed, with a total of 68 providers participating in the sessions.. In addition to surveys and input sessions; information sessions, routine communications, and survey support sessions have all occurred during April and May to best support the alternative methodology process. Data analysis was completed in June 2024, and review of data analysis occurred at the Task Force's June meeting, with initial results and cost model functioning finalization occurring at the July 2024 meeting. Cost model outputs will also be presented to ECAC at the July 2024 meeting, after the Task Force reviews outputs. The ECECD 2026 budget request will include funding to increase rates based on the updated cost alternative methodology. This process will conclude in March 2025 and depending on available revenues, increased rates will be in effect by July 2025.**

- c. Consultation on data collection methodology.

Describe when and how the Lead Agency engaged the following partners and how the consultation informed the development and execution of the MRS or alternative methodology, as appropriate.

- iii. State Advisory Council or similar coordinating body: **Previously, members of the State Advisory Council were consulted for the existing alternative cost methodology. For the updated alternative cost methodology process ECECD consulted with and received approval from the New Mexico Early Childhood Education and Care Advisory Council to submit the request to the Office of Child Care to conduct an alternative methodology during the October 4, 2023. Members of the council continue to be consulted throughout the ACF pre-approved alternative methodology that is in process.**
 - iv. Local child care program administrators: **During the first round of alternative methodology development in 2021, local child care program administrators were included in the stakeholder workgroup. For the 2024 update, as part of its ACF pre-approved alternative methodology process, ECECD has established an Alternative Methodology Task Force that includes child care providers, ECEC Advisory Council members, child care program administrators, the NM Kids Child Care Resource and Referral, advocates, representatives from the New Mexico Head Start Association and the New Mexico Association for the Education of Young Children, the New Mexico Early Care and Education Association, and state partners. The Alternative Methodology Task Force is providing input on (1) Model Enhancements & Constituent Engagement; (2) Cost Model Frame; (3) Cost Model Functioning; and (4) Cost Model Results. ECECD has also incorporated feedback from local child care program administrators through the use of a survey and virtual feedback sessions.**
 - v. Local child care resource and referral agencies: **In previous and current alternative methodology processes, the child care resource and referral agency informed model development. ECECD's current ACF pre-approved alternative methodology process has established an Alternative Methodology Task Force that includes individuals involved with the state's child care resource and referral agency (CCR&R) and has used data from the CCR&R to inform processes.**
 - vi. Organizations representing child care caregivers, teachers, and directors from all settings and serving all ages: **In previous and current alternative methodology work, ECECD has consulted the professional associations in the state that support child care caregivers, teachers, and directors from all settings and serving all ages. For example, in the 2021 stakeholder workgroup and in the 2024 Alternative Methodology Taskforce, members include representatives from the New Mexico Head Start Association, the New Mexico Association for the Education of Young Children, and the state child care association.**
 - vii. Other. Describe: **N/A**
- d. An MRS must be statistically valid and reliable.
- An MRS can use administrative data, such as child care resource and referral data, if it is representative of the market. Please provide the following information about the market rate survey:

- i. When was the market rate survey completed?
 - ii. What was the time period for collecting the information (e.g., all of the prices in the survey are collected within a three-month time period)?
 - iii. Describe how it represented the child care market, including what types of providers were included in the survey:
 - iv. What databases are used in the survey? Are they from multiple sources, including licensing, resource and referral, and the subsidy program?
 - v. How does the survey use good data collection procedures, regardless of the method for collection (mail, telephone, or web-based survey)?
 - vi. What is the percent of licensed or regulated child care centers responding to the survey?
 - vii. What is the percent of licensed or regulated family child care homes responding to the survey?
 - viii. Describe if the survey conducted in any languages other than English:
 - ix. Describe if data were analyzed in a manner to determine price of care per child:
 - x. Describe if data were analyzed from a sample of providers and if so, how the sample was weighted:
- e. Price variations reflected.

The market rate survey data or ACF pre-approved alternative methodology data must reflect variations in child care prices or cost of child care services in specific categories.

- i. Describe how the market rate survey or pre-approved alternative methodology reflected variation in geographic area (e.g., county, region, urban, rural). Include information on whether parts of the State or Territory were not represented by respondents and include information on how prices or costs could be linked to local geographic areas. **The state's previous ACF pre-approved alternative methodology investigated the regional variations in expenses experienced by programs in New Mexico. From the cost data gathered by programs, no significant regional variation in expenses was found. While variations in program occupancy expenses were seen, these were not aligned with geographic location, and instead were the result of individual program characteristics, such as whether the program was co-located in another building, had an organizational sponsor that covered occupancy costs, or had a long-term below market lease. The state's current pre-approved alternative methodology is in process.**
- ii. Describe how the market rate survey or pre-approved alternative methodology reflected variation in type of provider (e.g., licensed providers, license-exempt providers, center-based providers, family child care home providers, home based providers). **The state's previous ACF pre-approved alternative methodology model developed sample scenarios for varying types of providers including a child care center, a small family child care home, and a large family child care home. The state's current pre-approved alternative methodology is in process and will reflect variation in type of provider in the methodology.**

- iii. Describe how the market rate survey or pre-approved alternative methodology reflected age of child (e.g., infant, toddler, preschool, school-age): **The state's previous ACF pre-approved alternative methodology cost estimation model developed sample scenarios for varying types of providers providing care to varying ages of children. The model detailed the annual cost per child, including variations by age of children served. The cost model revealed that in order to be financially viable, a child care program must provide care for a mixed age group of children. The cost estimation model demonstrated that center-based programs serving only infants and toddlers suffer the most financially. At any level of quality, a program that serves only infants and toddlers saw the biggest gap between the cost of those services and the funding they receive under current subsidy rates. The cost model results found the most financially viable option to serve children under ECECD's current rate schedule is to include all ages, birth to school aged. The state's current pre-approved alternative methodology is in process and will reflect age of child in the methodology.**
- iv. Describe any other key variations examined by the market rate survey or ACF pre-approved alternative methodology, such as quality level: **The state's previous ACF pre-approved alternative methodology cost estimation model developed sample scenarios for other key variables such as the quality level of the child care provider. The cost estimation model demonstrated that the then subsidy rates did not cover the cost of care for any age group of children from birth to age five, at any quality level or type of care setting. The infant age group had the largest gap at each quality level, and had the largest shortfall overall, with infant care at the highest level of quality costing \$325 more per month per child than the maximum monthly subsidy payment. The state's current pre-approved alternative methodology is in process and will examine key variations.**

4.2.2 Cost analysis

If a Lead Agency does not complete a cost-based pre-approved alternative methodology, they must analyze the cost of providing child care services through a narrow cost analysis. A narrow cost analysis is a study of what it costs providers to deliver child care at two or more levels of quality: (1) a base level of quality that meets health, safety, staffing, and quality requirements, and (2) one or more higher levels of quality as defined by the Lead Agency. The narrow cost analysis must estimate costs by levels of quality; include relevant variation by provider type, child's age, or location; and analyze the gaps between estimated costs and payment rates to inform payment rate setting. Lead agencies are not required to complete a separate narrow cost analysis if their pre-approved alternative methodology addresses all of the components required in the narrow cost analysis.

Describe how the Lead Agency analyzed the cost of child care through a narrow cost analysis or pre-approved alternative methodology for the FFY 2025–2027 CCDF Plan, including:

- a. How did the Lead Agency conduct a narrow cost analysis (e.g., a cost model, a cost study, existing data or data from the Provider Cost of Quality Calculator)? **In its 2021 alternative methodology process, which was used to set the current child care reimbursement rates, ECECD conducted a cost study to inform the building of a cost-estimation model. The updated alternative methodology will use the same method, which collects cost data through a cost study and includes how several material variables and program**

characteristics (e.g., program type, size, quality level, the wide variety of child populations served, and geographic location) impact cost. The data are built into a cost-estimation tool, allowing ECECD to understand the cost of services for different ages of children, across provider types, and at different levels of quality.

- b. In the Lead Agency's analysis, were there any relevant variations by geographic location, category of provider, or age of child? **Within its existing alternative methodology, ECECD did not find relevant variations by geographic location. It did find relevant variations by category of provider, as well as age of child. The base rate and differential rates, therefore, do vary based on provider type and age of child. ECECD will repeat similar analyses during its new ACF Pre-Approved alternative methodology process to examine relevant variations by geographic location, category of providers, or age of child.**
- c. What assumptions and data did the Lead Agency use to determine the cost of care at the base level of quality (e.g., ratios, group size, staff compensations, staff training, etc.)? **The state's previous ACF pre-approved alternative methodology addressed the cost of child care providers' implementation of health, safety, quality and staffing requirements as the alternative methodology included the identification and analysis of each of these costs. The state's current pre-approved alternative methodology is in process and will repeat similar assumptions and analyses.**
- d. How does the Lead Agency define higher quality and what assumptions and data did the Lead Agency use to determine cost at higher levels of quality (e.g., ratio, group size, staffing levels, staff compensation, professional development requirements)? **A Lead Agency can use a quality improvement system or other system of quality indicators (e.g., accreditation, pre-Kindergarten standards, Head Start Program Performance Standards, or State-defined quality measures). The Lead Agency took the cost of higher quality into account in the development of proposed payment rates by using the requirements of the quality rating and improvement system, FOCUS, as well as other assumptions such as increased wages at higher quality levels. Survey and interview participants included centers and family child care homes that participate in all FOCUS quality levels and that serve children of all ages throughout the state. FOCUS includes five levels of quality that represent tiers of quality. The current alternative methodology includes the following variances at levels of quality: ratios, staff qualifications, professional development and planning time. Additional elements of quality included teacher compensation. As FOCUS cost drivers remain the same, the updated alternative methodology will utilize similar assumptions.**
- e. What is the gap between cost and price, and how did the Lead Agency consider this while setting payment rates? Did the Lead Agency target any rate increases where gaps were the largest or develop any long-term plans to increase rates based on this information? **The gap between cost and the rate paid by the Child Care Assistance Program was significant upon the first completion of the 2021 alternative cost methodology, but the gap has significantly decreased since the implementation of the cost model. ECECD targeted the gap between cost and price at 4- and 5-star infant and toddler levels in both centers and family child care in order to incentivize quality and building the supply of child care for the ages most needed.**

4.2.3 Publicly available report on the cost and price of child care

The Lead Agency must prepare a detailed report containing the results of the MRS or ACF pre-approved alternative methodology and include the Narrow Cost Analysis if an ACF pre-approved alternative methodology was not conducted.

The Lead Agency must make this report widely available no later than 30 days after completion of the report, including posting the results on the Lead Agency website. The Lead Agency must describe in the detailed report how the Lead Agency took into consideration the views and comments of the public or stakeholders prior to conducting the MRS or ACF pre-approved alternative methodology.

a. Describe how the Lead Agency made the results of the market rate survey or ACF pre-approved alternative methodology report widely available to the public by responding to the questions below.

- i. Provide the date the report was completed: **6/1/2021**
- ii. Provide the date the report containing results was made widely available (no later than 30 days after the completion of the report): **6/1/2021**
- iii. Provide a link to the website where the report is posted and describe any other strategies the Lead Agency uses to make the detailed report widely available:
https://www.nmececd.org/wp-content/uploads/2021/08/P5FS_NMReport_v.3d_forWeb.pdf
<https://www.nmececd.org/new-mexico-child-care-cost-model/>
- iv. Describe how the Lead Agency considered partner views and comments in the detailed report. Responses should include which partners were engaged and how partner input influenced the market rate survey or alternative methodology:
ECECD considered partner views and comments in the detailed report published in 2021 by establishing a stakeholder group to advise on the ACF pre-approved alternative methodology process. The stakeholder advisory group was comprised of child care providers (including representatives of the state’s two child care associations), members of the state’s Early Learning Advisory Council (ELAC), advocates, resource and referral staff, representatives from the New Mexico Head Start Association, representatives from the New Mexico Association for the Education of Young Children, and other state partners. This group was tasked with providing input on (1) the cost survey approach and reach; (2) the cost estimation model; (3) the quality variables that frame the model; (4) the model’s data-gathering and analysis assumptions, (5) ensuring that providers were engaged in both the data gathering process and in the review of model results; (6) modifications to the model based on analysis of interim results and; (7) feedback and validation of the assumptions in the model. ECECD also hosted a trio of public meetings to discuss the cost model findings and solicit feedback. The public meetings were held March 24, March 30, and April 1, 2021, reaching nearly 80 attendees. The public meetings offered American Sign Language (ASL) Interpretation, and one session was presented in Spanish. Additionally, at each discussion of the cost model finding meetings, the introduction was done in both Spanish and English, and a separate breakout room was available to accommodate Spanish speakers. Meeting times varied, both during the day and in the evening to accommodate provider schedules. As part of its 2024 process,

ECECD will utilize a similar process. ECECD has deployed a survey to collect data and gather partner perspectives as it updates its alternative methodology that has reached child care providers in homes and centers across the state. In addition, ECECD has convened an Alternative Methodology Task Force to advise on the process, led by Prenatal to Five Fiscal Strategies, the national expert group that is developing the methodology for New Mexico. This group consists of partners from the New Mexico Head Start Association, the New Mexico Child Care Providers and Educators Association, community based child care providers, members of the Early Childhood Education and Care Advisory Council, representatives from the legislative and executive agencies responsible for developing the state budget, and other key partners. The group meets monthly to advise the development of updated alternative methodology to be released by August 2024.

4.3 Adequate Payment Rates

The Lead Agency must set CCDF subsidy payment rates in accordance with the results of the current MRS or ACF pre-approved alternative methodology and at a level to ensure equal access for eligible families to child care services comparable with those provided to families not receiving CCDF assistance. Lead Agencies are also required to provide a summary of data and facts to demonstrate how payment rates ensure equal access, which means the Lead Agency must also consider the costs of base level care and higher quality care as part of its rate setting. Finally, the Lead Agency must re-evaluate its payment rates at least every 3 years.

The ages and types of care listed in the base payment rate tables are meant to provide a snapshot of the categories of rates and are not intended to be comprehensive of all categories that might exist or to reflect the terms used by the Lead Agency for particular ages. If rates are not statewide, please provide all variations of payment rates when reporting base payment rates below.

Base rates are the lowest, foundational rates before any differentials are added (e.g., for higher quality or other purposes) and must be sufficient to ensure that minimum health, safety, quality, and staffing requirements are covered. These are the rates that will be used to determine compliance with equal access requirements.

4.3.1 Payment rates

- a. Are the payment rates that the Lead Agency is reporting in 4.3.2 set statewide by the Lead Agency?
☒ Yes.
 - i. If yes, check if the Lead Agency:
☒ Sets the same payment rates for the entire State or Territory.
☐ Sets different payment rates for different regions in the State or Territory.
☐ No.
 - ii. If no, identify how many jurisdictions set their own payment rates:
- b. Provide the date the current payment rates became effective (i.e., date of last payment rate update based on most recent MRS or ACF pre-approved alternative methodology as reported in 4.2.1). **8/1/2023**

- c. If the Lead Agency does not publish weekly rates, then how were the rates reported in 4.3.2 or 4.3.3 calculated (e.g., were daily rates multiplied by 5 or monthly rates divided by 4.3)? **ECECD does not publish weekly rates and reported monthly rates. To calculate weekly rates ECECD divides the monthly rate by 4.3.**

4.3.2 Base payment rates

- a. Provide the base payment rates in the tables below. If the Lead Agency completed a market rate survey (MRS), provide the percentiles based on the most recent MRS for the identified categories. If the Lead Agency sets different payment rates for different regions in the State or Territory (and checked 4.3.1aii), provide the rates for the most populous region as well as the region with payment rates set at the lowest percentile. Percentiles are not required if the Lead Agency also conducted an ACF pre-approved alternative methodology but must be reported if the Lead Agency conducted an MRS only.

The preamble to the 2016 final rule states that a benchmark for adequate payment rates is the 75th percentile of the most recent MRS. The 75th percentile benchmark applies to the base rates. The 75th percentile is the number separating the lowest 75 percent of rates from the highest 25 percent. Setting rates at the 75th percentile, while not a requirement, would ensure that eligible families can afford three out of four child care providers. In addition to reporting the 75th percentile in the tables below, the Lead Agency must also report the 50th percentile and 60th percentile for each identified category.

If the Lead Agency conducted an ACF pre-approved alternative methodology, provide the estimated cost of care for the identified categories, as well as the percentage of the cost of care covered by the established payment rate. If the Lead Agency indicated it sets different payment rates for different regions in the State or Territory in 4.3.1.a, provide the estimated cost of care and the percentage of the cost of care covered by the established payment rate for the most populous region as well as the region with rates established at the lowest percent of the cost of care.

For each identified category below, provide the percentage of providers who are receiving the base rate without any add-ons or differential payments.

Provide the full-time weekly base payment rates in the table below. If weekly payment rates are not published, then the Lead Agency will need to calculate its equivalent.

- i. Table 1: Complete if rates are set statewide. If rates are not set statewide, provide rates for most populous region. Percentiles are not required if the Lead Agency also conducted an ACF

pre-approved alternative methodology but must be reported if the Lead Agency conducted an MRS only.

Care Type	Base payment rate (specify unit, e.g., per day, per week, per month)	% of providers receiving Base rate	Full-Time Weekly Base Payment Rate	What is the percentile of the rate? (MRS)	What is the 50th percentile of the rate? (MRS)	What is the 60th percentile of the rate? (MRS)	What is the 75th percentile of the rate? (MRS)	What is the estimated cost of care? (Alternative Methodology)	What percent of the estimated cost of care is the rate?
Center Care for Infants (6 months)	1075.00 Per Month	21.53	248.26					1231.00 Per Month	87.00
Family Child Care for Infants (6 months)	1100.00 Per Month	6.85	254.04					1274.00 Per Month	86.00
Center Care for Toddlers (18 months)	775.00 Per Month	21.53	178.98					914.00 Per Month	85.00
Family Child Care for Toddlers (18 months)	1075.00 Per Month	6.85	248.26					1205.00 Per Month	89.00
Center Care for Preschoolers (4 years)	700.00 Per Month	21.53	161.66					835.00 Per Month	84.00
Family Child Care for Preschoolers (4 years)	875.00 Per Month	6.85	200.92					1077.00 Per Month	81.00
Center Care for School-Age (6 years)	500.00 Per Month	21.53	115.47					528.00 Per Month	95.00
Family Child Care for School-Age (6 years)	530.00 Per Month	6.85	122.40					644.00 Per Month	82.00

ii. Table 2: Do not complete if rates are set statewide. If rates are not set statewide, provide rates for region with payment rates set at the lowest percentile. Percentiles are not required if the Lead Agency also conducted an ACF pre-approved alternative methodology but must be reported if the Lead Agency conducted an MRS only.

Care Type	Base payment rate (specify unit, e.g., per day, per week, per month)	% of providers receiving Base rate	Full-Time Weekly Base Payment Rate	What is the percentile of the rate? (MRS)	What is the 50th percentile of the rate? (MRS)	What is the 60th percentile of the rate? (MRS)	What is the 75th percentile of the rate? (MRS)	What is the estimated cost of care? (Alternative Methodology)	What percent of the estimated cost of care is the rate?
Center Care for Infants (6 months)									
Family Child Care for Infants (6 months)									
Center Care for Toddlers (18 months)									
Family Child Care for Toddlers (18 months)									
Center Care for Preschoolers (4 years)									
Family Child Care for Preschoolers (4 years)									
Center Care for School-Age (6 years)									
Family Child Care for School-Age (6 years)									

- b. Does the Lead Agency certify that the percentiles reported in the table above are calculated based on their most recent MRS or ACF pre-approved Alternative Methodology?

☒ Yes.

☐ No. If no, what is the year of the MRS or ACF pre-approved alternative methodology that the Lead Agency used? What was the reason for not using the most recent MRS or

ACF pre-approved alternative methodology? Describe:

4.3.3 Tiered rates, differential rates, and add-ons

Lead Agencies may establish tiered rates, differential rates, or add-ons on top of their base rates as a way to increase payment rates for targeted needs (e.g., a higher rate for serving children with special needs).

a. Does the Lead Agency provide any rate add-ons above the base rate?

☐ Yes. If yes, describe the add-ons, including what they are, who is eligible to receive the add-ons, and how often are they paid:

☒ No.

b. Has the Lead Agency chosen to implement tiered reimbursement or differential rates?

☒ Yes.

☐ No. Tiered or differential rates are not implemented.

If yes, identify below any tiered or differential rates, and, at a minimum, indicate the process and basis used for determining the tiered rates, including if the rates were based on the MRS or an ACF pre-approved alternative methodology. Check and describe all that apply:

- i. ☒ Differential rate for non-traditional hours. Describe: **ECECD pays a differential rate to child care providers who provide care during non-traditional hours as follows: 5 percent for 1-10 hours per week; 10 percent for 11-20 hours per week; and 15 percent for 21 or more hours per week.**
- ii. ☐ Differential rate for children with special needs, as defined by the Lead Agency. Describe:
- iii. ☐ Differential rate for infants and toddlers. Note: Do not check if the Lead Agency has a different base rate for infants/toddlers with no separate bonus or add-on. Describe:
- iv. ☐ Differential rate for school-age programs. Note: Do not check if the Lead Agency has a different base rate for school-age children with no separate bonus or add-on. Describe:
- v. ☒ Differential rate for higher quality, as defined by the Lead Agency. Describe: **ECECD pays a differential rate to child care providers who achieve a FOCUS rating of 2 Plus-, 3-, 4-, and 5-stars.**
- vi. ☐ Other differential rates or tiered rates. For example, differential rates for geographic area or for type of provider. Describe:
- vii. If applicable, describe any additional add-on rates that you have besides those identified above. **N/A**

Does the Lead Agency reduce provider payments if the price the provider charges to private-pay families not participating in CCDF is below the Lead Agency's established payment rate?

☐ Yes. If yes, describe:

[x] No.

4.3.4 Establishing payment rates

Describe how the Lead Agency established payment rates:

- a. What was the Lead Agency's methodology or process for setting the rates or how did the Lead Agency use their data to set rates? **The existing pre-approved alternative methodology approach involved several steps feeding into rate setting: a rigorous data collection method as well as interviews, an online survey, stakeholder engagement, and a number of public meetings were conducted. The survey and the interview participants included centers and family child care homes participating in all FOCUS quality levels, and serving children of all ages throughout the state. A cost estimation model was developed that included a variety of cost variables including number of employees, age of children served, and quality level. Utilizing the cost model, ECECD set rates based on the cost of quality. ECECD has continued to monitor increased costs as a result of inflation to increase its rates annually. ECECD will utilize a similar process once the updated alternative methodology is complete in order to set rates based on cost.**
- b. How did the Lead Agency determine that the rates are adequate to meet health, safety, quality, and staffing requirements under CCDF? **ECECD utilized the ACF pre-approved alternative methodology completed in 2021 to set adequate base payment rates to ensure equal access and to enable providers to meet health, safety, quality and staffing requirements under CCDF. The ACF pre-approved alternative methodology included: (1) estimates of the cost of providing care at varying levels of quality and the resources needed for a provider to remain financially solvent; (2) an examination of the impact of program size, ages of children served, geographic region, enrollment, and bad debt, (3) review of the impact of funding from multiple sources; and (4) identification of the gap between the costs and the revenue sources. As part of the ACF pre-approved alternative methodology, the Lead Agency assessed the cost of delivering high-quality services and utilized the assessment to propose a rate increase to ensure equal access.**
- c. How did the Lead Agency use the cost of care, either from the narrow cost analysis or the ACF pre-approved alternative methodology to inform rate setting, including how using the cost of care promotes the stabilization of child care providers? **The existing pre-approved alternative methodology approach involved several steps feeding into rate setting: a rigorous data collection method as well as interviews, an online survey, stakeholder engagement, and a number of public meetings were conducted. The survey and the interview participants included centers and family child care homes participating in all FOCUS quality levels, and serving children of all ages throughout the state. A cost estimation model was developed that included a variety of cost variables including number of employees, age of children served, and quality level. Utilizing the cost model, ECECD set rates based on the cost of quality and in order to promote the stabilization of child care providers. ECECD has continued to monitor increased costs as a result of inflation to increase its rates annually. ECECD will utilize a similar process once the updated alternative methodology is complete in order to set rates based on cost.**
- d. How did the Lead Agency account for the cost of higher quality while setting payment rates? **ECECD accounted for the cost of quality in the development of proposed rates beginning with rigorous data collection and interviews. The current alternative**

methodology included the following elements of quality: ratios, staff qualifications, and professional development, and planning time. Additional elements of quality included teacher compensation. Proposed payment rates at each quality level were based on the research and analysis conducted as part of the ACF pre-approved alternative methodology. A similar methodology will be used in the updated ACF pre-approved alternative methodology to ensure the cost of higher quality is taken into account while setting payment rates.

- e. Identify and describe any additional facts (not covered in responses to 4.3.1 – 4.3.3) that the Lead Agency considered in determining its payment rates to ensure equal access. **N/A**

4.4 Payment Practices to Providers

Lead Agencies must use subsidy payment practices that reflect practices that are generally accepted in the private pay child care market. The Lead Agency must ensure timeliness of payment to child care providers by paying in advance or at the beginning of delivery of child care services. Lead Agencies must also support the fixed cost of child care services based on paying by the child's authorized enrollment, or if impracticable, an alternative approach that will not undermine the stability of child care programs as justified and approved through this Plan.

Lead Agencies must also (1) pay providers based on established part-time or full-time rates rather than paying for hours of service or smaller increments of time, and (2) pay for reasonable, mandatory registration fees that the provider charges to private-paying parents. These policies apply to all provider types unless the Lead Agency can demonstrate that in limited circumstances the policies would not be considered generally-accepted payment practices.

In addition, Lead Agencies must ensure that child care providers receive payment for any services in accordance with a payment agreement or an authorization for services, ensure that child care providers receive prompt notice of changes to a family's eligibility status that could impact payment, and have timely appeal and resolution processes for any payment inaccuracies and disputes.

4.4.1 Prospective and enrollment-based payment practices

Lead Agencies must use payment practices for all CCDF child care providers that reflect generally-accepted payment practices of providers serving private-pay families, including paying providers in advance or at the beginning of the delivery of child care services and paying based on a child's authorized enrollment or an alternative approach for which the Lead Agency must demonstrate paying for a child's authorized enrollment is not practicable and it will not undermine the stability of child care programs. Lead Agencies may only use alternate approaches for subsets of provider types if they can demonstrate that prospective payments and authorized enrollment-based payment are not generally-accepted for a type of child care setting. Describe the Lead Agency payment practices for all CCDF child care providers:

- a. Does the Lead Agency pay all provider types prospectively (i.e., in advance of or at the beginning of the delivery of child care services)?

☐ Yes. If yes, describe:

☒ No, it is not a generally-accepted payment practice for each provider type. If no, describe the provider type not paid prospectively and the data demonstrating it is not a generally-accepted payment practice for that provider type, and describe the Lead

Agency's payment practice that ensures timely payment for that provider type: **ECECD pays child care providers on a monthly basis. Payments reflect a month of service provision and are paid no later than the fifth day of the following month in which the services was rendered. ECECD also performs a weekly pay run to capture any payments that were not paid in the monthly payment run.**

New Mexico is planning to submit a waiver for prospective payments.

- b. Does the Lead Agency pay based on authorized enrollment for all provider types?

☒ Yes. The Lead Agency pays all providers by authorized enrollment and payment is not altered based on a child's attendance or the number of absences a child has.

☐ No, it is not a generally-accepted practice for each provider type. If no, describe the provider types not paid by authorized enrollment, including the data showing it is not a generally-accepted payment practice for that provider type, and describe how the payment policy accounts for fixed costs:

☐ It is impracticable. Describe provider type(s) for which it is impracticable, why it is impracticable, and the alternative approach the Lead Agency uses to delink provider payments from occasional absences, including evidence that the alternative approach will not undermine the stability of child care programs, and thereby accounts for fixed costs:

4.4.2 Other payment practices

Lead Agencies must (1) pay providers based on established part-time or full-time rates rather than paying for hours of service or smaller increments of time, and (2) pay for reasonable, mandatory registration fees that the provider charges to private-paying parents, unless the Lead Agency provides evidence that such practices are not generally-accepted for providers caring for children not participating in CCDF in its State or Territory.

- a. Does the Lead Agency pay all providers on a part-time or full-time basis (rather than paying for hours of service or smaller increments of time)?

☒ Yes.

☐ No. If no, describe the policies or procedures that are different than paying on a part-time or full-time basis and the Lead Agency's rationale for not paying on a part-time or full-time basis:

- b. Does the Lead Agency pay for reasonable mandatory registration fees that the provider charges to private-paying parents?

☒ Yes. If yes, identify the fees the Lead Agency pays for: **ECECD pays for reasonable mandatory registration fees as part of the rate structure. Child care providers may not charge mandatory registration fees.**

☐ No. If no, identify the data and how data were collected to show that paying for fees is not a generally-accepted payment practice:

- c. Describe how the Lead Agency ensures that providers are paid in accordance with a written payment agreement or an authorization for services that includes, at a minimum, information regarding provider payment policies, including rates, schedules, any fees charged to providers, and the dispute-resolution process: **ECECD's payment agreement**

and authorization for services is outlined in the child care placement agreement. Signed child care placement agreements (including electronically signed child care placement agreements) must be returned by hand delivery, mail, email, fax, or electronic submission to the local ECECD child care office within 30 calendar days of issuance. ECECD requires child care providers to collect required copayments from clients, unless ECECD is paying those copayments directly to the child care providers or a valid waiver is in place, and provide child care according to the terms outlined in the child care placement agreement issued by ECECD. ECECD sets child care provider rates in regulation and clearly identifies the set rate in each child care placement agreement. ECECD also gives child care providers who participate in child care assistance a copy of the applicable regulations. ECECD pays for child care benefits as set forth in each placement agreement based the number of hours of care needed and the qualifying activity of the parent or legal guardian. ECECD requires that child care providers accept the rates that it pays for child care and may not charge families receiving child care assistance above the rate for the hours listed on the child care placement agreement. ECECD does not charge child care providers fees, but may sanction child care providers for failing to follow regulations, depending on the severity of the infraction, or make timely recoupment payments after reasonable notice is provided. Providers who have been sanctioned, disqualified from the child care assistance program, had assistance payments suspended or terminated, or from whom a payment recoupment is being sought may request a fair hearing. Clients or providers who are dissatisfied with the services provided by ECECD may express their complaints orally or in writing to the local field office, the central office, the director's office or the office of the department secretary. ECECD also posts its toll free number in each field office and make its available to clients and providers upon request. The local ECECD supervisor, bureau chief, director or the secretary will respond to complaints by clients or providers orally or in writing as is deemed appropriate in each case.

- d. Describe how the Lead Agency provides prompt notice to providers regarding any changes to the family's eligibility status that could impact payments, and such a notice is sent no later than the day that the Lead Agency becomes aware that such a change will occur: **ECECD provides prompt notice to providers regarding any changes to the family's eligibility status through the work of the ECECD eligibility interviewers. The eligibility interviewers perform all casework functions, including the processing of payments and notifications of case actions on an ongoing basis. Ensuring that once all documents are received, notification of action is provided within 14 days. Eligibility interviewers notify clients and providers in writing of all actions that affect services, benefits, or provider payments, citing the applicable policy.**
- e. Describe the Lead Agency's timely appeal and resolution process for payment inaccuracies and disputes: **ECECD may issue a one-time payment to a provider within 15 days of ECECD's knowledge or receipt of notification of the provider being underpaid for child care services. Notification to ECECD by the client or provider must occur within three months of the occurrence of alleged underpayment. ECECD will seek recoupments from providers for payment of services for which they are not entitled, resulting in an overpayment. The ECECD child care worker will initiate the recoupment process and the provider must repay the amount of the overpayment to ECECD within 30 days of the notice or over an agreed upon payment period negotiated with ECECD. Failure to pay the overpayment may result in sanctions. The provider can request an administrative appeal**

hearing in writing within 30 calendar days from the date of ECECD'S adverse action and the hearing is conducted within 60 calendar days of receipt of the appeal request. ECECD will not seek a recoupment of payment from a client unless substantiated fraud by the client has been determined.

f. Other. Describe any other payment practices established by the Lead Agency:

4.4.3 Payment practices and parent choice

How do the Lead Agency's payment practices facilitate provider participation in all categories of care? **ECECD payment practices facilitate provider participation in all categories of care by providing payment based on the cost of providing care and on the child's enrollment, rather than daily attendance.**

4.5 Supply Building

Building a supply of high-quality child care that meets the needs and preferences of parents participating in CCDF is necessary to meet CCDF's core purposes. Lead Agencies must support parent choice by providing some portion of direct services via grants or contracts, including at a minimum for children in underserved geographic areas, infants and toddlers, and children with disabilities.

4.5.1 Child care services available through grants or contracts

Does the Lead Agency provide direct child care services through grants or contracts for child care slots?

☐ Yes, statewide. Describe how the Lead Agency ensures that parents who enroll with a provider who has a grant or contract have choices when selecting a provider:

☒ Yes, in some jurisdictions, but not statewide. Describe how many jurisdictions use grants or contracts for child care slots and how the Lead Agency ensures that parents who enroll with a provider who has a grant or contract have choices when selecting a provider: **New Mexico will not be requesting a waiver for grants or contracts. New Mexico only has one jurisdiction, statewide. ECECD will provide grants or contracts for infants and toddlers. The implementation will begin in areas where there is the highest need for infant and toddler slots and will expand as the need and resources allow.**

ECECD's approach to contracting for slots will specifically focus on the infant and toddler age group but will also be targeted toward children in underserved geographic areas. ECECD will release a Request for Proposals (RFP) that prioritizes providers in underserved geographic areas (e.g., areas with less than average child care slots) and will require providers to serve a minimum of children with developmental delays and disabilities. Therefore, the number for these categories overlap with the 2,000 contracted slots ECECD plans for Infants and Toddlers.

☐ No. If no, describe any Lead Agency plans to provide direct child care services through grants and contracts for child care slots:

If no, skip to question 4.5.2.

i. If yes, identify the populations of children served through grants or contracts for

child care slots (check all that apply). For each population selected, identify the number of slots allocated through grants or contracts for direct service of children receiving CCDF.

☒ Children with disabilities. Number of slots allocated through grants or contracts: **At least 100 slots will be allocated through contracts for children with developmental delays and disabilities.**

☒ Infants and toddlers. Number of slots allocated through grants or contracts: **At least 900 slots will be allocated through contracts for infants and toddlers.**

☒ Children in underserved geographic areas. Number of slots allocated through grants or contracts: **At least 1000 slots will be allocated through contracts for children in underserved communities.**

☐ Children needing non-traditional hour care. Number of slots allocated through grants or contracts:

☐ School-age children. Number of slots allocated through grants or contracts:

☐ Children experiencing homelessness. Number of slots allocated through grants or contracts:

☐ Children in urban areas. Percent of CCDF children served in an average month:

☐ Children in rural areas. Percent of CCDF children served in an average month:

☐ Other populations. If checked, describe:

- ii. If yes, how are rates for slots funded by grants and contracts determined by the Lead Agency? **ECECD is still determining the parameters for the implementation of infant and toddler slots in underserved areas.**

4.5.2 Care in the child's home (in-home care)

The Lead Agency must allow for in-home care (i.e., care provided in the child's own home) but may limit its use.

Will the Lead Agency limit the use of in-home care in any way?

☒ Yes.

☐ No.

If yes, what limits will the Lead Agency set on the use of in-home care? Check all that apply.

- i. ☐ Restricted based on the minimum number of children in the care of the in-home provider to meet the Fair Labor Standards Act (minimum wage) requirements. Describe:
- ii. ☒ Restricted based on the in-home provider meeting a minimum age requirement. Describe: **The provider must be 18 years of age or older.**
- iii. ☐ Restricted based on the hours of care (i.e., certain number of hours, non-

traditional work hours). Describe:

- iv. ☐ Restricted to care by relatives. (A relative provider must be at least 18 years of age based on the definition of eligible child care provider.) Describe:
- v. ☒ Restricted to care for children with special needs or a medical condition. Describe: **In-home care is restricted to care for children with special needs or a medical condition, and the sibling(s) of the qualifying child.**
- vi. ☐ Restricted to in-home providers that meet additional health and safety requirements beyond those required by CCDF. Describe:
- vii. ☐ Other. Describe:

4.5.3 Shortages in the supply of child care

Lead Agencies must identify shortages in the supply of child care providers that meet parents' needs and preferences.

What child care shortages has the Lead Agency identified in the State or Territory, and what is the plan to address the child care shortages?

a. In infant and toddler programs:

- i. Data sources used to identify shortages: **ECECD will conduct a child care supply and demand study that is comprehensive, incorporating information from existing administrative data on supply, and collecting new information from families, child care providers, and other key sources to understand the quality and availability of child care in the state compared to the demand.**
- ii. Method of tracking progress: **ECECD will track progress monthly through the review and analysis of the "hip pocket" data report. This monthly report will demonstrate where progress is being made and areas where there are opportunities to strengthen support to address child care shortages.**
- iii. What is the plan to address the child care shortages using family child care homes **ECECD will invest in the statewide Accelerator program and develop and implement staffed family child care networks. The Accelerator is a cohort-based approach that brings together business support, quality coaching and mentoring and training for rapid growth and development. The Accelerator will elevate family child care and expand access to affordable, quality, and culturally responsive child care. The staffed family child care networks will focus on strengthening connections with each other and with community resources, building provider business development, and improving quality and capacity through mutual learning, support, and joint activities. The networks will support family child care businesses with consultation, quality coaching, professional development, licensing, and recruitment of providers.**
- iv. What is the plan to address the child care shortages using child care centers? **To address child care shortages in child care centers, ECECD implemented the Capacity Resources for Enhancing Care, Excellence, and Resilience (CRECER) program that expands and stabilizes the supply of child care in the state. CRECER is led by WESST, a local Community Development Financial Institution (CDFI). CRECER provides financial support through grants and technical assistance to**

increase the understanding and skills in child care business practices among child care owners and directors. CRECER supports the expansion of high quality child care, specifically in underserved areas and for underserved populations.

- b. In different regions of the State or Territory:
 - i. Data sources used to identify shortages: ECECD will conduct a child care supply and demand study that is comprehensive, incorporating information from existing administrative data on supply, and collecting new information from families, child care providers, and other key sources to understand the quality and availability of child care in the state compared to the demand.
 - ii. Method of tracking progress: ECECD will track progress monthly through the review and analysis of the "hip pocket" data report. This monthly report will demonstrate where progress is being made and areas where there are opportunities to strengthen support to address child care shortages.
 - iii. What is the plan to address the child care shortages using family child care homes? ECECD will invest in the statewide Accelerator program and develop and implement staffed family child care networks. The Accelerator is a cohort-based approach that brings together business support, quality coaching and mentoring and training for rapid growth and development. The Accelerator will elevate family child care and expand access to affordable, quality, and culturally responsive child care. The staffed family child care networks will focus on strengthening connections with each other and with community resources, building provider business development, and improving quality and capacity through mutual learning, support, and joint activities. The networks will support family child care businesses with consultation, quality coaching, professional development, licensing, and recruitment of providers.
 - iv. What is the plan to address the child care shortages using child care centers? To address child care shortages in child care centers, ECECD implemented the Capacity Resources for Enhancing Care, Excellence, and Resilience (CRECER) program that expands and stabilizes the supply of child care in the state. CRECER is led by WESST, a local CDFI, provides financial support through grants and technical assistance to increase the understanding and skills in child care business practices among child care owners and directors. CRECER supports the expansion of high quality child care, specifically in underserved areas and for underserved populations.
- c. In care for special populations:
 - i. Data sources used to identify shortages: ECECD will conduct a child care supply and demand study that is comprehensive, incorporating information from existing administrative data on supply, and collecting new information from families, child care providers, and other key sources to understand the quality and availability of child care in the state compared to the demand.
 - ii. Method of tracking progress: ECECD will track progress monthly through the review and analysis of the "hip pocket" data report. This monthly report will demonstrate where progress is being made and areas where there are opportunities to strengthen support to address child care shortages.

- iii. What is the plan to address the child care shortages using family child care homes? **ECECD will invest in the statewide Accelerator program and develop and implement staffed family child care networks. The Accelerator is a cohort-based approach that brings together business support, quality coaching and mentoring and training for rapid growth and development. The Accelerator will elevate family child care and expand access to affordable, quality, and culturally responsive child care. The staffed family child care networks will focus on strengthening connections with each other and with community resources, building provider business development, and improving quality and capacity through mutual learning, support, and joint activities. The networks will support family child care businesses with consultation, quality coaching, professional development, licensing, and recruitment of providers.**
- iv. What is the plan to address the child care shortages using child care centers? **To address child care shortages in child care centers, ECECD implemented the Capacity Resources for Enhancing Care, Excellence, and Resilience (CRECER) program that expands and stabilizes the supply of child care in the state. CRECER is led by WESST, a local CDFI, provides financial support through grants and technical assistance to increase the understanding and skills in child care business practices among child care owners and directors. CRECER supports the expansion of high quality child care, specifically in underserved areas and for underserved populations.**

4.5.4 Strategies to increase the supply of and improve quality of child care

Lead Agencies must develop and implement strategies to increase the supply of and improve the quality of child care services. These strategies must address child care in underserved geographic areas; infants and toddlers; children with disabilities, as defined by the Lead Agency; and children who receive care during non-traditional hours.

How does the Lead Agency identify any gaps in the supply and quality of child care services and what strategies are used to address those gaps for:

- a. Underserved geographic areas. Describe: **There are far less child care slots than children needing services. In order to accurately identify the gaps in underserved geographic areas, ECECD will conduct a child care supply and demand study that is comprehensive, incorporating information from existing administrative data on supply, and collecting new information from families, child care providers, and other key sources to understand the quality and availability of child care in the state compared to the demand. ECECD will use this supply and demand analysis to develop funding, policy, and programmatic decisions to continue to improve the supply of child care across the state.**
- b. Infants and toddlers. Describe: **There are more infants and toddlers needing services than licensed slots. In order to accurately identify the gaps for infant and toddler care, ECECD will conduct a child care supply and demand study that is comprehensive, incorporating information from existing administrative data on supply, and collecting new information from families, child care providers, and other key sources to understand the quality and availability of child care in the state compared to the demand. ECECD will use this supply and demand analysis to develop funding, policy, and programmatic decisions to continue to improve the supply of child care across the state.**

- c. Children with disabilities. Describe: **ECECD will conduct a child care supply and demand study that is comprehensive, incorporating information from existing administrative data on supply, and collecting new information from families, child care providers, and other key sources to understand the quality and availability of child care in the state compared to the demand. ECECD will use this supply and demand analysis to develop funding, policy, and programmatic decisions to continue to improve the supply of child care across the state.**
- d. Children who receive care during non-traditional hours. Describe: **ECECD will conduct a child care supply and demand study that is comprehensive, incorporating information from existing administrative data on supply, and collecting new information from families, child care providers, and other key sources to understand the quality and availability of child care in the state compared to the demand. ECECD will use this supply and demand analysis to develop funding, policy, and programmatic decisions to continue to improve the supply of child care across the state.**
- e. Other. Specify what population is being focused on to increase supply or improve quality. Describe: **ECECD will conduct a child care supply and demand study that is comprehensive, incorporating information from existing administrative data on supply, and collecting new information from families, child care providers, and other key sources to understand the quality and availability of child care in the state compared to the demand. ECECD will use this supply and demand analysis to develop funding, policy, and programmatic decisions to continue to improve the supply of child care across the state.**

4.5.5 Prioritization of investments in areas of concentrated poverty and unemployment

Lead Agencies must prioritize investments for increasing access to high-quality child care and development services for children of families in areas that have significant concentrations of poverty and unemployment and do not currently have sufficient numbers of such programs.

Describe how the Lead Agency prioritizes increasing access to high-quality child care and development services for children of families in areas that have significant concentrations of poverty and unemployment and that do not have access to high-quality programs. **New Mexico has made a substantial investment in early childhood, prenatal to 5 systems to improve the health, development, education and overall wellbeing of children. To establish statewide measures to track progress and identify areas of persistent need, ECECD is partnering with the University of California Los Angeles (UCLA) and the Public Education Department to establish a common statewide measurement system for New Mexico consisting of two population outcome measures for children - the Early Development instrument (EDI); and the Childhood Experiences Questionnaire (CHEQ) and one measure of community conditions that influence wellbeing, the National Neighborhood Equity Index (NNEI). Statewide results will help policymakers and local community organizations understand inequities in children's well-being, neighborhood by neighborhood. These data will help to catalyze and create a point of unity for cross-sector efforts to: 1) Look back to improve children's outcomes (0-5) before children arrive at kindergarten and to; 2) Look forward (K-12) to understand the incoming kindergarten cohort of children and support them as they progress through school.**

5 Health and Safety of Child Care Settings

Child care health and safety standards and enforcement practices are essential to protect the health and safety of children while out of their parents' care. CCDF provides a minimum threshold for child care health and safety policies and practices but leaves authority to [Lead Agencies](#) to design standards that appropriately protect children's safety and promote nurturing environments that support their healthy growth and development. Lead Agencies should set standards for ratios, group size limits, and provider qualifications that help ensure that the child care environment is conducive to safety and learning and enable caregivers to promote all domains of children's development.

CCDF health and safety standards help set clear expectations for CCDF providers, form the foundation for health and safety training for child care workers, and establish the baseline for monitoring to ensure compliance with health and safety requirements. These health and safety requirements apply to all providers serving children receiving CCDF services – whether the providers are licensed or license-exempt, must be appropriate to the provider setting and age of the children served, must include specific topics and training on those topics, and are subject to monitoring and enforcement procedures by the [Lead Agency](#). CCDF-required annual monitoring and enforcement actions help ensure that CCDF providers are adopting and implementing health and safety requirements.

Through child care licensing, [Lead Agencies](#) set minimum requirements, including health and safety requirements, that child care providers must meet to legally operate in that State or Territory. In some cases, CCDF health and safety requirements may be integrated within the licensing system for licensed providers and may be separate for CCDF providers who are license-exempt.

This section addresses CCDF health and safety requirements, [Lead Agency](#) licensing requirements and exemptions, and comprehensive background checks.

When responding to questions in this section, OCC recognizes that each [Lead Agency](#) identifies and defines its own categories of care. OCC does not expect [Lead Agencies](#) to change their definitions to fit the CCDF-defined categories of care. For these questions, provide responses that best match the CCDF categories of care.

5.1 Licensing Requirements

Each Lead Agency must ensure it has in effect licensing requirements applicable to all child care services provided within the State/Territory (not restricted to providers receiving CCDF funds).

5.1.1 Providers subject to licensing

For each category of care listed below, identify the type of providers subject to licensing and describe the licensing requirements.

- a. Identify the center-based provider types subject to child care licensing: **ECECD defines center-based provider types subject to child care licensing as any facility that provides care, services, and supervision for less than 24 hours a day to children in a non-residential setting and meets the applicable state and local building and safety codes.**

Are there other categories of licensed, regulated, or registered center providers the Lead Agency does not categorize as license-exempt?

☒ Yes. If yes, describe: **ECECD does not categorize out-of-school child care programs as license-exempt. ECECD defines out-of-school child care program types subject to child care licensing as a program providing a variety of developmentally appropriate activities that are both educational and recreational at a specific site, usually a school, on a regular basis before or after school or when school is not in regular session to children age five to 18 years, and not exempt from regulation under any of the exceptions ECECD has listed in 8.9.4.9 NMAC.**

☐ No.

- b. Identify the family child care providers subject to licensing: **ECECD defines family child care providers subject to licensing as a private dwelling that provides care, services, and supervision for a period of less than 24 hours of any day for no more than six children. Licensed family child care providers must reside in the home and be the primary provider of care.**

Are there other categories of regulated or registered family child care providers the Lead Agency does not categorize as license-exempt?

☒ Yes. If yes, describe: **ECECD regulates another category of family child care providers, group child care providers, and allows the home provider to be licensed to care for more than six children. ECECD defines a group child care provider subject to licensing as a private dwelling or other building on the premises that provides care, services, and supervision for at least seven but not more than 12 children for a period of less than 24 hours of any day. Licensed group child care providers must reside in the home and be the primary provider of care.**

☐ No.

- c. Identify the in-home providers subject to licensing: **N/A**

Are there other categories of regulated or registered in-home providers the Lead Agency does not categorize as license-exempt?

☐ Yes. If yes, describe:

☒ No.

5.1.2 CCDF-eligible providers exempt from licensing

Identify the categories of CCDF-eligible providers who are exempt from licensing requirements, the types of exemptions, and describe how these exemptions do not endanger the health, safety, and development of children. -Relative providers, as defined in CCDF, are addressed in subsection 5.8.

- a. License-exempt center-based child care. Describe by answering the questions below.
- Identify the categories of CCDF-eligible center-based child care providers who are exempt from licensing requirements. **Child care facilities operated by the federal government (military installations and tribal CCDF) are exempt from licensure by the State of New Mexico (ECECD) and are instead regulated and licensed by the federal Department of Defense or Tribal CCDF ECECD.**
 - Describe the exemptions based on length of day, threshold on the number of

children in care, ages of children in care, or any other factors applicable to the exemption. **N/A**

- iii. Describe how the exemptions for these CCDF-eligible providers do not endanger the health, safety, and development of children. **The exemptions for these CCDF-eligible providers do not endanger the health, safety, and development of children because they are required to renew annually to receive CCDF funds. For child care providers located on military installations, these facilities are required to maintain and submit copies to ECECD of their Department of Defense certificate, accreditation (if applicable), and a letter or memo identifying the background clearance status of all staff members, educators, volunteers and prospective staff members, or any persons who may have unsupervised physical access to children. Tribal-based child care providers are required to submit to ECECD proof of tribal CCDF approval, a letter or memo attesting that the program director and all staff are in compliance with state, federal or tribal background check clearances, and a list of the director and all staff employed. The health and safety inspections conducted by the Department of Defense for providers located on military installations must comply with or exceed ECECD's licensing requirements. Tribal providers' health and safety inspections must meet tribal CCDF rules and are conducted by the Tribal CCDF Lead Agencies.**

b. License-exempt family child care. Describe by answering the questions below.

- i. Identify the categories of CCDF-eligible family child care providers who are exempt from licensing requirements. **ECECD exempts registered family child care homes from licensing requirements. A registered family child care home is the residence of an independent primary caregiver who registers the home under ECECD regulations to participate in the child and adult care food program or in the state and federal child care assistance programs.**
- ii. Describe the exemptions based on length of day, threshold on the number of children in care, ages of children in care, or any other factors applicable to the exemption. **N/A**
- iii. Describe how the exemptions for these CCDF-eligible providers do not endanger the health, safety, and development of children. **N/A**

c. In-home care (care in the child's own home by a non-relative). Describe by answering the questions below.

- i. Identify the categories of CCDF-eligible in-home care (care in the child's own home by a non- relative) providers who are exempt from licensing requirements. **In-home care means care provided in the child's own home. In-home care registrations are limited to the care of children with documented special needs or a medical condition, and the siblings of the qualifying child.**
- ii. Describe the exemptions based on length of day, threshold on the number of children in care, ages of children in care, or any other factors applicable to the exemption. **N/A**
- iii. Describe how the exemptions for these CCDF-eligible providers do not endanger the health, safety, and development of children. **N/A**

5.2 Ratios, Group Size, and Qualifications for CCDF Providers

Lead Agencies must have child care standards for providers receiving CCDF funds, appropriate to the type of child care setting involved, that address appropriate staff:child ratios, group size limits for specific age populations, and the required qualifications for providers. Lead Agencies should map their categories of care to the CCDF categories. Exemptions for relative providers will be addressed in subsection 5.8.

5.2.1 Age classifications

Describe how the **Lead Agency** defines the following age classifications (e.g., Infant: 0 – 18 months).

- a. Infant. Describe: **Infant" is defined as a child age six weeks to 12 months.**
- b. Toddler. Describe: **Toddler" is defined as a child age 12 months to 24 months (2 years). ECECD uses a separate designation for two-year-olds (i.e. children 24 through 35 months).**
- c. Preschool. Describe: **Preschool" is defined as a child age 3 years to 5 years.**
- d. School-Age. Describe: **School-age" is defined as a child age 5 to 18 years.**

5.2.2 Ratio and group size limits

Provide the ratio and group size limits for settings and age groups below.

- a. Licensed CCDF center-based care:
 - i. Infant.
Ratio: **1 adult to 6 children (1:6)**
Group size: **12 children**
 - ii. Toddler.
Ratio: **1 adult to 6 children (1:6)**

Note: ECECD uses a separate designation for two-year-olds (i.e. children 24 through 35 months)
Group size: **12 children**
 - iii. Preschool.
Ratio: **1 adult to 12 children (1:12)**
Group size: **24 children**
 - iv. School-Age.
Ratio: **1 adult to 15 children (1:15)**
Group size: **30 children**
 - v. Mixed-Age Groups (if applicable).

Ratio: **6 weeks through 24 months: 1 adult to 6 children (1:6); 18 months through 35 months: 1 adult to 6 children (1:6); 2 years through 4 years: 1**

adult to 12 children (1:12); 3 years through 5 years: 1 adult to 14 children (1:14); and 6 years and older: 1 adult to 15 children (1:15).

Note: ECECD uses a separate designation for two-year-olds (i.e. children 24 through 35 months)

Group size: 6 weeks through 24 months: 12 children; 18 months through 35 months: 12 children; 2 years through 4 years: 24 children; 3 years through 5 years: 28 children; and 6 years and older: 30 children.

Note: ECECD uses a separate designation for two-year-olds (i.e. children 24 through 35 months)

- b. If different, provide the ratios and group size requirements for the license-exempt center-based providers who receive CCDF funds under the following age groups:
- i. **[x]** Not applicable. There are no differences in ratios and group size requirements.
 - ii. Infant:
 - iii. Toddler:
 - iv. Preschool:
 - v. School-Age:
 - vi. Mixed-Age Groups:
- c. Licensed CCDF family child care home providers:
- i. Infant (if applicable)
Ratio: **N/A**
Group size: **N/A**
 - ii. Toddler (if applicable)
Ratio: **N/A**
Group size: **N/A**
 - iii. Preschool (if applicable)
Ratio: **N/A**
Group size: **N/A**
 - iv. School-Age (if applicable)
Ratio: **N/A**
Group size: **N/A**
 - v. Mixed-Age Groups
Ratio: **A family child care home licensed to provide care for six or fewer children (not to exceed more than two children under age 2) will have at least one educator in the home at all times (1:6). A home licensed to provide care for more than two children under age 2 will have at least two**

educators in the home at all times.

Group size: **A family child care home licensed to provide care for six or fewer children may maintain a group of six, and no more than two of those six children may be under the age of 2.**

- d. Are any of the responses above different for license-exempt family child care homes?

☐ No.

☒ Yes. If yes, describe how the ratio and group size requirements for license-exempt providers vary by age of children served. **A registered home provider will provide care for no more than four non- residential children at one time, and no more than two children may be under the age of two.**

☐ Not applicable. The Lead Agency does not have license-exempt family child care homes.

- e. Licensed in-home care (care in the child's own home):

- i. Infant (if applicable)

Ratio: **N/A**

Group size: **N/A**

- ii. Toddler (if applicable)

Ratio: **N/A**

Group size: **N/A**

- iii. Preschool (if applicable)

Ratio: **N/A**

Group size: **N/A**

- iv. School-Age (if applicable)

Ratio: **N/A**

Group size: **N/A**

- v. Mixed-Age Groups (if applicable)

Ratio: **N/A**

Group size: **N/A**

- f. Are any of the responses above different for license-exempt in-home care?

☒ No.

☐ Yes. If yes, describe how the ratio and group size requirements for license-exempt in-home care vary by age of children served.

5.2.3 Teacher/caregiver qualifications for licensed, regulated, or registered care

Provide the teacher/caregiver qualifications for each category of care.

- a. Licensed center-based care

- i. Describe the teacher qualifications for licensed CCDF center-based care (e.g., degrees, credentials, etc.), including any variations based on the ages of children in care: **All teachers that provide care in a licensed CCDF center must, within six months of employment, complete the 45-hour entry level course or an approved three-credit early care and education course, or an equivalent course approved by ECECD. In addition, infant and toddler educators must have at least four hours of training in infant and toddler care annually.**
- ii. Describe the director qualification for licensed CCDF center-based care, including any variations based on the ages of children in care or the number of staff employed: **A child care center director must be at least 21 years old. At a minimum, a child care center director must complete the first of three AA-level Early Childhood Program Administration courses in the Early Childhood Program Administration career pathway: Program Management 1, or the National Administrator Credential (NAC) and successful completion of a Child Development/Early Childhood Education course; and at least two years of experience in an early childhood growth and development setting.**
- b. Licensed family child care
Describe the provider qualifications for licensed family child care homes, including any variations based on the ages of children in care: **The minimum age of a licensed family child care home provider is 18 years old. The primary provider must complete the 45-hour entry level course or an approved three-credit early care and education course, or an equivalent approved by ECECD prior to or within six months of employment. The primary provider and secondary educators working for a home will receive at least 12 documented hours of training during each year, including six hours in child growth and development and three hours in health, safety, nutrition, and infection control. The three remaining training hours must be within the seven competency areas. The competency areas are: (1) child growth, development, and learning; (2) health, safety, nutrition, and infection control; (3) family and community collaboration; (4) developmentally appropriate content; (5) learning environment and curriculum implementation; (6) assessment of children and programs; and (7) professionalism.**
- c. Licensed, regulated, or registered in-home care (care in the child's own home by a non-relative)
Describe the provider qualifications for licensed, regulated, or registered in-home care providers (care in the child's own home) including any variations based on the ages of children in care: **N/A**

5.2.4 Teacher/caregiver qualifications for license-exempt providers

Provide the teacher/provider qualification requirements (for instance, age, high school diploma, specific training, etc.) for the license-exempt providers under the following categories of care:

- a. License-exempt center-based child care. **Child care facilities operated by the federal government (military installations and tribal CCDF) are exempt from licensure by the State of New Mexico (ECECD) and are instead regulated and licensed by the federal Department of Defense or Tribal CCDF ECECD.**
- b. License-exempt home-based child care. **A registered home provider is required to be a**

minimum age of 18 years old. The primary caregiver will complete specified training within three months of initial registration. Caregivers will obtain a minimum of 6 hours of training annually.

- c. License-exempt in-home care (care in the child's own home). **All caregivers, including primary, substitute and emergency caregivers, must be at least 18 years of age. Primary and substitute caregivers are required to attend six hours of training annually. Primary and substitute caregivers caring for infants shall receive two hours of infant or toddler specific training within six months of registration. Training shall be within the seven competency areas. The competency areas are: (1) child growth, development, and learning; (2) health, safety, nutrition, and infection control; (3) family and community collaboration; (4) developmentally appropriate content; (5) learning environment and curriculum implementation; (6) assessment of children and programs; and (7) professionalism.**

5.3 Health and Safety Standards for CCDF Providers

Lead Agencies must have health and safety standards for providers serving children receiving CCDF assistance relating to the required health and safety topics as appropriate to the provider setting and age of the children served. This requirement is applicable to all child care programs receiving CCDF funds regardless of licensing status (i.e., licensed or license-exempt). The only exception to this requirement is for relative providers, as defined by CCDF. Lead Agencies have the option of exempting certain relatives from any or all CCDF health and safety requirements.

Exemptions for relative providers' standards requirements will be addressed in question 5.8.1.

Describe the following health and safety standards for programs serving children receiving CCDF assistance on the following topics (note that monitoring and enforcement will be addressed in subsection 5.5):

5.3.1 Prevention and control of infectious diseases (including immunizations) health and safety standard

- a. Provide the standards, appropriate to the provider setting and age of children, that address the prevention and control of infectious diseases for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires the following pertinent standards: child care centers must report to the appropriate authorities within a 24-hour period of any incident that has threatened or could threaten the health and safety of children and staff members, including, but not limited to, any of the illnesses on the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico Department of Health. Children and child care providers who are sick with any illness on the notifiable diseases and communicable diseases list will be absent until cleared for return by a physician. Any children or child care provider who becomes ill will be separated from others and sent home. All child care providers and children are required to practice proper hand hygiene using soap and warm running water at appropriate intervals and transitions throughout the day.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD**

requires the following pertinent standards: child care homes must report to the appropriate authorities within a 24-hour period of any incident that has threatened or could threaten the health and safety of children and staff members, including, but not limited to, any of the illnesses on the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico Department of Health. Children and child care providers who are sick with any illness on the notifiable diseases and communicable diseases list will be absent until cleared for return by a physician. Any children or child care provider who becomes ill will be separated from others and sent home. All child care providers and children are required to practice proper hand hygiene using soap and warm running water at appropriate intervals and transitions throughout the day.

- iii. All CCDF-eligible licensed in-home care. Provide the standard:
☒ Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must address the prevention and control of infectious diseases as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **ECECD requires the following pertinent standards: registered home providers must report to the appropriate authorities within a 24-hour period of any incident that has threatened or could threaten the health and safety of children, including, but not limited to, any of the illnesses on the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico Department of Health. Children and child care providers who are sick with any illness on the notifiable diseases and communicable diseases list will be absent until cleared for return by a physician. All child care providers and children are required to practice proper hand hygiene using soap and warm running water at appropriate intervals and transitions throughout the day.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **ECECD requires the following pertinent standards: in-home providers must report to the appropriate authorities within a 24-hour period of any incident that has threatened or could threaten the health and safety of children, including, but not limited to, any of the illnesses on the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico Department of Health. Children and child care providers who are sick with any illness on the notifiable diseases and communicable diseases list will be absent until cleared for return by a physician. All child care providers and children are required to practice proper hand hygiene using soap and warm running water at appropriate intervals and transitions throughout the day.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps,

day camps, etc.). Provide the standard: **ECECD requires the following pertinent standards: out-of-school programs must report to the appropriate authorities within a 24-hour period of any incident that has threatened or could threaten the health and safety of children and staff members, including, but not limited to, any of the illnesses on the current list of notifiable diseases and communicable diseases published by the office of epidemiology of the New Mexico Department of Health. Children and child care providers who are sick with any illness on the notifiable diseases and communicable diseases list will be absent until cleared for return by a physician. Any children or child care provider who becomes ill will be separated from others and sent home. All child care providers and children are required to practice proper hand hygiene using soap and warm running water at appropriate intervals and transitions throughout the day.**

- b. Provide the standards, appropriate to the provider setting and age of children, that address that children attending child care programs under CCDF are age-appropriately immunized, according to the latest recommendation for childhood immunizations of the respective State public health agency, for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires all children enrolled in the child care center to have on file the child's up-to-date immunization record or public health division's approved exemption from the requirement. A grace period of a maximum of 30 days will be granted for children in foster care or homeless children and youth.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD requires all children enrolled in a licensed child care home to have on file the child's up-to-date immunization record or public health division's approved exemption from the requirement. A grace period of a maximum of 30 days will be granted for children in foster care or homeless children and youth.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:

[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address that children attending child care programs are age-appropriately immunized as required by the Department of Defense and Tribal Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
 - v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **ECECD requires all children enrolled in a registered home to have on file the child's up-to-date immunization record or public health division's approved exemption from the requirement. A grace period of a maximum of 30 days will be granted for children in foster care or homeless children and youth.**
 - vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **ECECD requires all children enrolled in an in-home care to have on file the child's up-to-**

date immunization record or public health division's approved exemption from the requirement. A grace period of a maximum of 30 days will be granted for children in foster care or homeless children and youth.

- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **ECECD requires all children enrolled in an out-of-school program to have on file the child's up-to-date immunization record or public health division's approved exemption from the requirement. A grace period of a maximum of 30 days will be granted for children in foster care or homeless children and youth. Out-of-school programs operating in a public-school setting are exempt from this requirement. Public schools are responsible for ensuring all students have up-to-date immunization records and compliance with the McKinney-Vento Homeless Assistance Act.**

5.3.2 Prevention of sudden infant death syndrome and the use of safe-sleep practices health and safety standard

Provide the standards, appropriate to the provider setting and age of children, that address the prevention of sudden infant death syndrome and use of safe sleeping practices for the following CCDF-eligible providers:

- i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires a crib for each infant and requires that cribs meet federal standards and be kept in good repair. Providers are prohibited from using plastic bags or lightweight plastic sheeting to cover a mattress and cannot use pillows in cribs. Children under the age of 12 months shall be placed on their backs when sleeping unless otherwise authorized in writing by a physician. Educators shall ensure that nothing covers the face or head of a child aged 12 months or younger when the child is laid down to sleep and while the child is sleeping. Educators must be physically available to sleeping children at all times. Children must not be isolated for sleeping or napping in an un-illuminated room unless attended by an educator. No child will be allowed to sleep in a car seat, stroller, or swing.**
- ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD requires a crib for each infant and requires that cribs meet federal standards and be kept in good repair. Providers are prohibited from using plastic bags or lightweight plastic sheeting to cover a mattress and cannot use pillows in cribs. Children under the age of 12 months shall be placed on their backs when sleeping unless otherwise authorized in writing by a physician. Educators shall ensure that nothing covers the face or head of a child aged 12 months or younger when the child is laid down to sleep and while the child is sleeping. Educators must be physically available to sleeping children at all times. Children must not be isolated for sleeping or napping in an un-illuminated room unless attended by an educator. No child will be allowed to sleep in a car seat, stroller, or swing.**
- iii. All CCDF-eligible licensed in-home care. Provide the standard:

[x] Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are**

exempt from licensure and must have standards that address sudden infant death syndrome and the use of safe-sleep practices as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.

- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **ECECD requires a crib for each infant and requires that cribs meet federal standards and be kept in good repair. Providers are prohibited from using plastic bags or lightweight plastic sheeting to cover a mattress and cannot use pillows in cribs. Children under the age of 12 months shall be placed on their backs when sleeping unless otherwise authorized in writing by a physician. Educators shall ensure that nothing covers the face or head of a child aged 12 months or younger when the child is laid down to sleep and while the child is sleeping. Educators must be physically available to sleeping children at all times. Children must not be isolated for sleeping or napping in an un-illuminated room unless attended by an educator. No child will be allowed to sleep in a car seat, stroller, or swing.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **N/A**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **ECECD does not license out-of-school programs for children under five years of age and therefore does not have standards that address sudden infant death syndrome and the use of safe-sleep practices.**

5.3.3 Administration of medication, consistent with standards for parental consent health and safety standard

- a. Provide the standards, appropriate to the provider setting and age of children, that address the administration of medication for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires child care centers to keep medications in a locked and identified container inaccessible to children and to refrigerate medications when necessary. If the refrigerator is inaccessible to children, medications do not need to be in a locked container in the refrigerator.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD requires homes to keep medications in a locked and identified container inaccessible to children and to refrigerate medications when necessary. If the refrigerator is inaccessible to children, medications do not need to be in a locked container in the refrigerator.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:
[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the administration**

- of medication as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **ECECD requires homes to keep prescription and over the counter medications in a storage area inaccessible to children.**
 - vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **ECECD requires homes to keep prescription and over the counter medications in a storage area inaccessible to children.**
 - vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **ECECD requires out-of-school programs to keep medications in a locked and identified container inaccessible to children and to refrigerate medications when necessary. If the refrigerator is inaccessible to children, medications do not need to be in a locked container in the refrigerator.**
- b. Provide the standards, appropriate to the provider setting and age of children, that address obtaining permission from parents to administer medications to children for the following CCDF-eligible providers:
- i. All CCDF-eligible licensed center care. Provide the standard: **Child care providers will give medication only with written permission from a parent or guardian and will administer medication according to written directions from the prescribing physician. In the case of non-prescription medication, written instructions must be provided by the parent or guardian. For the purpose of this requirement only, non-prescription medications include sunscreen, insect repellent and diaper creams or other over the counter medications.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **Child care providers will give medication only with written permission from a parent or guardian and will administer medication according to written directions from the prescribing physician. In the case of non- prescription medication, written instructions must be provided by the parent or guardian. For the purpose of this requirement only, non-prescription medications include sunscreen, insect repellent and diaper creams or other over the counter medications.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:

[x]Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address obtaining permission from parents to administer medications to children as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**

- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **Child care providers will give medication only with written permission from a parent or guardian and will administer medication according to written directions from the prescribing physician. In the case of non-prescription medication, written instructions must be provided by the parent or guardian.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **Child care providers will give medication only with written permission from a parent or guardian and will administer medication according to written directions from the prescribing physician. In the case of non-prescription medication, written instructions must be provided by the parent or guardian.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **Child care providers will give medication only with written permission from a parent or guardian and will administer medication according to written directions from the prescribing physician. In the case of non-prescription medication, written instructions must be provided by the parent or guardian.**

5.3.4 Prevention of and response to emergencies due to food and allergic reactions health and safety standard

- a. Provide the standards, appropriate to the provider setting and age of children, that address the *prevention* of emergencies due to food and allergic reactions for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires that child care centers maintain a record for each child containing information on any allergies or medical conditions a child has; the name and telephone number of two people to contact in the local area in case of emergency when a parent or guardian cannot be reached (emergency contact numbers must be kept up to date at all times); and the name and telephone number of a physician or emergency medical center authorized by a parent or guardian to contact in case of illness or emergency.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD requires that child care homes maintain a record for each child containing information on any allergies or medical conditions a child has; the name and telephone number of two people to contact in the local area in case of emergency when a parent or guardian cannot be reached (emergency contact numbers must be kept up to date at all times); and the name and telephone number of a physician or emergency medical center authorized by a parent or guardian to contact in case of illness or emergency.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:

[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the prevention of emergencies due to food and allergic reactions as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain**

and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.

- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **ECECD requires that family child care homes maintain a record for each child containing information on any allergies or medical conditions a child has; the name and telephone number of two people to contact in the local area in case of emergency when a parent or guardian cannot be reached (emergency contact numbers must be kept up to date at all times); and the name and telephone number of a physician or emergency medical center authorized by a parent or guardian to contact in case of illness or emergency.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **ECECD requires that in-home care providers maintain a record for each child containing information on any allergies or medical conditions a child has; the name and telephone number a responsible adult to contact in case of emergency when a parent or guardian cannot be reached (emergency contact numbers must be kept up to date at all times); and the name and telephone number of a physician or emergency medical center authorized by a parent or guardian to contact in case of illness or emergency.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **ECECD requires that out-of-school programs to maintain a record for each child containing information on any allergies or medical conditions a child has; the name and telephone number of two people to contact in the local area in case of emergency when a parent or guardian cannot be reached (emergency contact numbers must be kept up to date at all times); and the name and telephone number of a physician or emergency medical center authorized by a parent or guardian to contact in case of illness or emergency.**
- b. Provide the standards, appropriate to the provider setting and age of children, that address the *response* to emergencies due to food and allergic reactions for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires a document giving the child care center permission to transport the child in the event of a medical emergency; and an authorization for medical treatment signed by a parent or guardian.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD requires a document giving the home provider permission to transport the child in the event of a medical emergency; and an authorization for medical treatment signed by a parent or guardian.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:

[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the response to**

emergencies due to food and allergic reactions as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.

- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **ECECD requires a document giving the home provider permission to transport the child in the event of a medical emergency; and an authorization for medical treatment signed by a parent or guardian.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **ECECD requires a document giving the in-home provider permission to transport the child in the event of a medical emergency; and an authorization for medical treatment signed by a parent or guardian.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **ECECD requires a document giving the out-of-school program permission to transport the child in the event of a medical emergency; and an authorization for medical treatment signed by a parent or guardian.**

5.3.5 Building and physical premises safety, including the identification of and protection from hazards, bodies of water, and vehicular traffic health and safety standard

- a. Provide the standards, appropriate to the provider setting and age of children, that address the identification of and protection from building and physical premises hazards for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires that child care center providers keep the premises, including furniture, fixtures, floors, drinking fountains, toys, and equipment clean, safe, and in good repair. Facilities and premises will be free of debris and potential hazards. Regarding electrical cords and outlets, a provider will use only U/L approved equipment and will properly maintain this equipment. The use of multi-prong or gang plugs is not allowed. All electrical outlets within reach of children will be safety outlets or will have protective covers.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD requires that homes keep the premises, including furniture, fixtures, toys, and equipment clean, safe, and free of debris and potential hazards. Regarding electrical cords and outlets, a provider will use only U/L approved equipment and will properly maintain this equipment. The use of multi-prong or gang plugs is not allowed. All electrical outlets within reach of children will be safety outlets or will have protective covers.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:
[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are**

exempt from licensure and must have standards that address the identification of and protection from building and physical premises hazards as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.

- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: ECECD requires that the registered home provider keep the home, grounds, and equipment in safe condition. The home and grounds must be clean and free of debris and potential hazards. All equipment must be in good repair. All electrical outlets within reach of children will be safety outlets or will have protective covers.
 - vi. All CCDF-eligible license-exempt in-home care. Provide the standard: ECECD requires that the in-home provider keep the home, grounds, and equipment in safe condition. The home and grounds must be clean and free of debris and potential hazards. All equipment must be in good repair. All electrical outlets within reach of children will be safety outlets or will have protective covers.
 - vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: ECECD requires that out-of-school programs keep the premises, including furniture, fixtures, floors, drinking fountains, toys, and equipment clean, safe, and in good repair. Facilities and premises will be free of debris and potential hazards. Regarding electrical cords and outlets, a provider will use only U/L approved equipment and will properly maintain this equipment. The use of multi-prong or gang plugs is not allowed.
- b. Provide the standards, appropriate to the provider setting and age of children, that address the identification of and protection from bodies of water for the following CCDF-eligible providers:
- i. All CCDF-eligible licensed center care. Provide the standard: **Each child will have written permission from a parent or guardian before the child enters a pool. If a child care center has a portable wading pool, they will drain and fill the wading pool with fresh water daily and disinfect pool before and after each use; will empty a wading pool when it is not in use and remove it from areas accessible to children; and will not use a portable wading pool placed on concrete or asphalt. If a child care center has a built in or aboveground swimming pool, ditch, fishpond or other water hazard, the fixture will be constructed, maintained and used in accordance with applicable state and local regulations; the fixture will be constructed and protected so that, when not in use, it is inaccessible to children; and when in use, children will be constantly supervised and the number of adults present will be proportional to the ages and abilities of the children and type of water hazard in use.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **Each child will have written permission from a parent or guardian before the child enters a pool. If a home has a portable wading pool, they will drain and fill the wading pool with fresh water daily and disinfect pool before and after each use;**

will empty a wading pool when it is not in use and remove it from areas accessible to children; and will not use a portable wading pool placed on concrete or asphalt. If a home has a built in or aboveground swimming pool, ditch, fishpond or other water hazard, the fixture will be constructed, maintained and used in accordance with applicable state and local regulations; the fixture will be constructed and protected so that, when not in use, it is inaccessible to children; and when in use, children will be constantly supervised and the number of adults present will be proportional to the ages and abilities of the children and type of water hazard in use.

- iii. All CCDF-eligible licensed in-home care. Provide the standard:

☒ Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the identification of and protection from bodies of water as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **Each child will have written permission from a parent or guardian before the child enters a pool. If a registered home has a portable wading pool, they will drain and fill the wading pool with fresh water daily and disinfect pool before and after each use; will empty a wading pool when it is not in use and remove it from areas accessible to children; and will not use a portable wading pool placed on concrete or asphalt. If a home has a built in or aboveground swimming pool, ditch, fishpond or other water hazard, the fixture will be constructed, maintained and used in accordance with applicable state and local regulations; the fixture will be constructed and protected so that, when not in use, it is inaccessible to children; and when in use, children will be constantly supervised and ensure adequate safety for the ages, abilities, and type of water hazard in use.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **Each child will have written permission from a parent or guardian before the child enters a pool. If a registered home has a portable wading pool, they will drain and fill the wading pool with fresh water daily and disinfect pool before and after each use; will empty a wading pool when it is not in use and remove it from areas accessible to children; and will not use a portable wading pool placed on concrete or asphalt. If a home has a built in or aboveground swimming pool, ditch, fishpond or other water hazard, the fixture will be constructed, maintained and used in accordance with applicable state and local regulations; the fixture will be constructed and protected so that, when not in use, it is inaccessible to children; and when in use, children will be constantly supervised and ensure adequate safety for the ages, abilities, and type of water hazard in use.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **Each child will have written permission**

from a parent or guardian before the child enters a pool. If an out-of-school program has a portable wading pool, they will drain and fill the wading pool with fresh water daily and disinfect pool before and after each use; will empty a wading pool when it is not in use and remove it from areas accessible to children; and will not use a portable wading pool placed on concrete or asphalt. If an out-of-school program has a built in or aboveground swimming pool, ditch, fishpond or other water hazard, the fixture will be constructed, maintained and used in accordance with applicable state and local regulations; the fixture will be constructed and protected so that, when not in use, it is inaccessible to children; and when in use, children will be constantly supervised and the number of adults present will be proportional to the ages and abilities of the children and type of water hazard in use.

- c. Provide the standards, appropriate to the provider setting and age of children, that address the identification of and protection from vehicular traffic hazards for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **A child care center will enclose an outdoor play area with a fence at least four feet high and with at least one latched gate available for an emergency exit. A center that provides transportation will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **A home will enclose an outdoor play area with a fence at least four feet high and with at least one latched gate available for an emergency exit. A home that provides transportation will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:

[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the identification of and protection from vehicular traffic hazards as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
 - v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **A registered home will fence the outside play area when determined to be necessary for safety. The fence must be at least four feet high and will have one latched gate for an emergency exit. A home that provides transportation will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle.**

- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **An in-home provider that provides transportation will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **An out-of-school program that provides transportation will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle.**

5.3.6 Prevention of shaken baby syndrome, abusive head trauma, and maltreatment health and safety standard

- a. Provide the standards, appropriate to the provider setting and age of children, that address the prevention of shaken baby syndrome and abusive head trauma and indicate the age of children it applies to for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **Training on Shaken Baby Syndrome prevention and head trauma is required. Providers are also required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. Providers are required to have written policies and procedures clearly outlining guidance practices. This information is provided to all parents and staff who sign a form to acknowledge that they have received, read, and understand the policies and procedures. ECECD's licensing requirements describe how to provide a social-emotional responsive environment. Educators are required to remain calm in stressful situations, be actively engaged with children, talk, actively listen, and respond appropriately to children by acknowledging their questions, comments, concerns, emotions, and feelings. Educators help children communicate their feelings by helping them learn skills to express themselves. They are required to model appropriate social behaviors, interactions, empathy, and respond to children that are angry, hurt, or sad in a caring and sensitive manner, and make appropriate physical contact to comfort children who are distressed.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **Training on Shaken Baby Syndrome prevention and head trauma is required. Providers are also required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. Providers are required to have written policies and procedures clearly outlining guidance practices. This information is provided to all parents and staff who sign a form to acknowledge that they have received, read, and understand the policies and procedures. ECECD's licensing requirements describe how to provide a social-emotional responsive environment. Educators are required to**

remain calm in stressful situations, be actively engaged with children, talk, actively listen, and respond appropriately to children by acknowledging their questions, comments, concerns, emotions, and feelings. Educators help children communicate their feelings by helping them learn skills to express themselves. They are required to model appropriate social behaviors, interactions, empathy, and respond to children that are angry, hurt, or sad in a caring and sensitive manner, and make appropriate physical contact to comfort children who are distressed.

- iii. All CCDF-eligible licensed in-home care. Provide the standard:
☒ Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the prevention of shaken baby syndrome and abusive head trauma as required by the Department of Defense and Tribal CCDF Lead Agencies. These facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **Training on Shaken Baby Syndrome prevention and head trauma is required. Providers are also required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. ECECD requires registered homes to promote positive social, emotional, physical, and intellectual growth and well-being.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **Training on Shaken Baby Syndrome prevention and head trauma is required. Providers are also required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. ECECD requires in-home providers to promote positive social, emotional, physical, and intellectual growth and well-being.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **Out-of-school programs are required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. Providers are required to have written policies and procedures clearly outlining guidance practices. This information is provided to all parents and staff who sign a form to acknowledge that they have received, read, and understand the policies and procedures. ECECD's licensing requirements describe how to provide a social-emotional responsive environment. Educators are required to remain calm in**

stressful situations, be actively engaged with children, talk, actively listen, and respond appropriately to children by acknowledging their questions, comments, concerns, emotions, and feelings. Educators help children communicate their feelings by helping them learn skills to express themselves. They are required to model appropriate social behaviors, interactions, empathy, and respond to children that are angry, hurt, or sad in a caring and sensitive manner, and make appropriate physical contact to comfort children who are distressed.

- b. Provide the standards, appropriate to the provider setting and age of children, that address the prevention of child maltreatment and indicate the age of children it applies to for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **Center providers are required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. Providers are required to have written policies and procedures clearly outlining guidance practices. This information is provided to all parents and staff who sign a form to acknowledge that they have received, read, and understand the policies and procedures. ECECD's licensing requirements describe how to provide a social-emotional responsive environment. Educators are required to remain calm in stressful situations, be actively engaged with children, talk, actively listen, and respond appropriately to children by acknowledging their questions, comments, concerns, emotions, and feelings. Educators help children communicate their feelings by helping them learn skills to express themselves. They are required to model appropriate social behaviors, interactions, empathy, and respond to children that are angry, hurt, or sad in a caring and sensitive manner, and make appropriate physical contact to comfort children who are distressed.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **Home providers are required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. Providers are required to have written policies and procedures clearly outlining guidance practices. This information is provided to all parents and staff who sign a form to acknowledge that they have received, read, and understand the policies and procedures. ECECD's licensing requirements describe how to provide a social-emotional responsive environment. Educators are required to remain calm in stressful situations, be actively engaged with children, talk, actively listen, and respond appropriately to children by acknowledging their questions, comments, concerns, emotions, and feelings. Educators help children communicate their feelings by helping them learn skills to express themselves. They are required to model appropriate social behaviors, interactions, empathy, and respond to children that are angry, hurt, or sad in a caring and sensitive manner, and make appropriate physical contact to comfort children who are distressed.**

- iii. All CCDF-eligible licensed in-home care. Provide the standard:
☒ Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the prevention of child maltreatment as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **Registered home providers are required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. ECECD requires registered homes to promote positive social, emotional, physical, and intellectual growth and well-being.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **In-home care providers are required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. ECECD requires in-home providers to promote positive social, emotional, physical, and intellectual growth and well-being.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **Out-of-school programs are required to engage in practices that support growth and development, noting that practices must be age appropriate and positive. ECECD regulations specify methods for positive guidance and specifically prohibit abusive practices including, among many others, shaking a child and causing physical or emotional harm. Providers are required to have written policies and procedures clearly outlining guidance practices. This information is provided to all parents and staff who sign a form to acknowledge that they have received, read, and understand the policies and procedures. ECECD's licensing requirements describe how to provide a social-emotional responsive environment. Educators are required to remain calm in stressful situations, be actively engaged with children, talk, actively listen, and respond appropriately to children by acknowledging their questions, comments, concerns, emotions, and feelings. Educators help children communicate their feelings by helping them learn skills to express themselves. They are required to model appropriate social behaviors, interactions, empathy, and respond to children that are angry, hurt, or sad in a caring and sensitive manner, and make appropriate physical contact to comfort children who are distressed.**

5.3.7 Emergency preparedness and response planning standard

Identify by checking below that the emergency preparedness and response planning due to natural disasters and human-caused events standard includes procedures in the following areas:

- i. ☒ Evacuation
- ii. ☒ Relocation
- iii. ☒ Shelter-in-place
- iv. ☒ Lock down
- v. Staff emergency preparedness
 - ☒ Training
 - ☒ Practice drills
- vi. Volunteer emergency preparedness
 - ☒ Training
 - ☒ Practice drills
- vii. ☒ Communication with families
- viii. ☒ Reunification with families
- ix. ☒ Continuity of operations
- x. Accommodation of
 - ☒ Infants
 - ☒ Toddlers
 - ☒ Children with disabilities
 - ☒ Children with chronic medical conditions
- xi. If any of the above are not checked, describe:

5.3.8 Handling and storage of hazardous materials and the appropriate disposal of biocontaminants health and safety standard

- a. Provide the standards, appropriate to the provider setting and age of children, that address the handling and storage of hazardous materials for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **Center providers are required to keep their premises, including furniture, fixtures, floors, drinking fountains, toys, and equipment clean, safe, and in good repair. Facilities and premises will be free of debris and potential hazards. Materials dangerous to children must be secured in a manner making them inaccessible to children and away from food storage or preparation areas. A center will treat blood spills cautiously and promptly disinfect the area. Staff members will wear non-porous, single-use gloves when handling a blood spill, bloody diarrhea, bloody nose, or any other blood. A center will clean contaminated surfaces first with hot soapy water then with a disinfecting solution effective against HIV and hepatitis B.**

- ii. All CCDF-eligible licensed family child care homes. Provide the standard: **Home providers are required to keep the premises, including furniture, fixtures, toys, and equipment clean, safe, and free of debris and potential hazards. Materials dangerous to children must be secured in a manner making them inaccessible to children and away from food storage or preparation areas. A home will treat blood spills cautiously and promptly disinfect the area. Staff members will wear non-porous, single-use gloves when handling a blood spill, bloody diarrhea, bloody nose, or any other blood. A home will clean contaminated surfaces first with hot soapy water then with a disinfecting solution, which is effective against HIV and hepatitis B.**
- iii. All CCDF-eligible licensed in-home care. Provide the standard:
☒ Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the handling and storage of hazardous materials as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **Registered home providers are required to keep the home, grounds, and equipment in safe condition. The home and grounds must be clean and free of debris and other potential hazards. The provider will keep all poisons, toxic materials, cleaning substances, intoxicating substances, or any other dangerous materials in a storage area inaccessible to children.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **In-home providers are required to keep the home, grounds, and equipment in safe condition. The home and grounds must be clean and free of debris and other potential hazards. The provider will keep all poisons, toxic materials, cleaning substances, intoxicating substances, or any other dangerous materials in a storage area inaccessible to children.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **Out-of-school programs are required to keep their premises, including furniture, fixtures, toys, and equipment clean, safe, and free of debris and potential hazards. Materials dangerous to children must be secured in a manner making them inaccessible to children and away from food storage or preparation areas. An out-of-school program will treat blood spills cautiously and promptly decontaminate the area. Staff members will wear non-porous, single-use gloves when handling a blood spill, bloody diarrhea, bloody nose, or any other blood. A program will clean contaminated surfaces first with hot soapy water then with a disinfecting solution which is effective against HIV and hepatitis B.**
- b. Provide the standards, appropriate to the provider setting and age of children, that

address the disposal of bio contaminants for the following CCDF-eligible providers:

- i. All CCDF-eligible licensed center care. Provide the standard: **A center will treat blood spills cautiously and promptly disinfect the area. Staff members will wear non-porous, single-use gloves when handling a blood spill, bloody diarrhea, bloody nose, or any other blood. A center will clean contaminated surfaces first with hot soapy water then with a disinfecting solution effective against HIV and hepatitis B. Soiled diapers shall be stored in a secure container with a tight-fitting lid to assure proper hygiene and control of odors.**
- ii. All CCDF-eligible licensed family child care homes. Provide the standard: **A home will treat blood spills cautiously and promptly disinfect the area. Staff members will wear non-porous, single-use gloves when handling a blood spill, bloody diarrhea, bloody nose, or any other blood. A home will clean contaminated surfaces first with hot soapy water then with a disinfecting solution, which is effective against HIV and hepatitis B. Soiled diapers shall be stored in a secure container with a tight-fitting lid to assure proper hygiene and control of odors.**
- iii. All CCDF-eligible licensed in-home care. Provide the standard:
[x] Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the disposal of hazardous materials as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **A caregiver will change wet and soiled diapers and clothing promptly. A caregiver will not change a diaper in a food preparation area. Caregivers will wash their hands and the child's hands after every diaper change. A caregiver will change a child's diaper on a clean, safe, waterproof surface and discard any disposable covers and disinfect the surface after each diaper change.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **A caregiver will change wet and soiled diapers and clothing promptly. A caregiver will not change a diaper in a food preparation area. Caregivers will wash their hands and the child's hands after every diaper change. A caregiver will change a child's diaper on a clean, safe, waterproof surface and discard any disposable covers and disinfect the surface after each diaper change.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **An out-of-school program will treat blood spills cautiously and promptly decontaminate the area. Staff members will wear non-porous, single-use gloves when handling a blood spill, bloody diarrhea, bloody nose, or any other blood. A program will clean contaminated surfaces first with hot soapy water then with a disinfecting solution which is effective against HIV and hepatitis B. Soiled diapers shall be stored in a secure container with a**

tight-fitting lid to assure proper hygiene and control of odors.

5.3.9 Precautions in transporting children health and safety standard

Provide the standards, appropriate to the provider setting and age of children, that address precautions in transporting children for the following CCDF-eligible providers:

- i. All CCDF-eligible licensed center care. Provide the standard: **Center providers who transport children are responsible for the care of children from the time of pick up until return to a responsible adult. ECECD requires a provider to license all vehicles used for transporting children and will meet all applicable state vehicle laws. A child shall be transported only if the child is properly secured in a child passenger restraint device or by a safety belt. A program will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle. Vehicles used for transporting children will be enclosed and properly maintained. Vehicles shall be cleaned and inspected inside and out. Vehicles shall be air-conditioned whenever the outside air temperature exceeds 82 degrees Fahrenheit. If the outside air temperature falls below 50 degrees Fahrenheit, the center will ensure the vehicle is heated. No one will smoke in a vehicle used for transporting children. Children may be transported only in vehicles that have current registration and insurance coverage. All drivers must have a current driver's license and comply with motor vehicle and traffic laws. Persons who have been convicted in the last seven years of a misdemeanor or felony DWI/DUI cannot transport children. Center providers are required to have a second adult accompany the driver of the vehicle when transporting five or more children under five years of age. At least one adult who transports children shall have current certification in cardiopulmonary resuscitation (CPR). All vehicles used for transportation of children will have an operable, fully charged fire extinguisher, first-aid kit, first-aid manual, water, and blanket.**
- ii. All CCDF-eligible licensed family child care homes. Provide the standard: **Home providers who transport children are responsible for the care of children from the time of pick up until return to a responsible adult. ECECD requires a provider to license all vehicles used for transporting children and will meet all applicable state vehicle laws. A child shall be transported only if the child is properly secured in a child passenger restraint device or by a safety belt. A program will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle. Vehicles used for transporting children will be enclosed and properly maintained. Vehicles shall be cleaned and inspected inside and out. Vehicles shall be air-conditioned whenever the outside air temperature exceeds 82 degrees Fahrenheit. If the outside air temperature falls below 50 degrees Fahrenheit, the center will ensure the vehicle is heated. No one will smoke in a vehicle used for transporting children. Children may be transported only in vehicles that have current registration and insurance coverage. All drivers must have a current driver's license and comply with motor vehicle and traffic laws. Persons who have been convicted in the last seven years of a misdemeanor or felony DWI/DUI cannot transport children. At least one adult who transports**

children shall have current certification in cardiopulmonary resuscitation (CPR). All vehicles used for transportation of children will have an operable, fully charged fire extinguisher, first-aid kit, first-aid manual, water, and blanket.

- iii. All CCDF-eligible licensed in-home care. Provide the standard:

☒ Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address precautions in transporting children as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **Registered home providers who transport children are responsible for the care of children from the time of pick up until return to a responsible adult. A child shall be transported only if the child is properly secured in a child passenger restraint device or by a safety belt. A program will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle. Vehicles used for transporting children will be enclosed and properly maintained. Vehicles shall be cleaned and inspected inside and out. Vehicles shall be air-conditioned whenever the outside air temperature exceeds 82 degrees Fahrenheit. If the outside air temperature falls below 50 degrees Fahrenheit, the center will ensure the vehicle is heated. No one will smoke in a vehicle used for transporting children. Children may be transported only in vehicles that have current registration and insurance coverage. All drivers must have a current driver's license and comply with motor vehicle and traffic laws. Persons who have been convicted in the last seven years of a misdemeanor or felony DWI/DUI cannot transport children. At least one adult who transports children shall have current certification in cardiopulmonary resuscitation (CPR). All vehicles used for transportation of children will have an operable, fully charged fire extinguisher, first-aid kit, first-aid manual, water, and blanket.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **In-home providers who transport children are responsible for the care of children from the time of pick up until return to a responsible adult. A child shall be transported only if the child is properly secured in a child passenger restraint device or by a safety belt. A program will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle. Vehicles used for transporting children will be enclosed and properly maintained. Vehicles shall be cleaned and inspected inside and out. Vehicles shall be air-conditioned whenever the outside air temperature exceeds 82 degrees Fahrenheit. If the outside air temperature falls below 50 degrees Fahrenheit, the center will ensure the vehicle is heated. No one will smoke in a vehicle used for transporting children. Children may be**

transported only in vehicles that have current registration and insurance coverage. All drivers must have a current driver's license and comply with motor vehicle and traffic laws. Persons who have been convicted in the last seven years of a misdemeanor or felony DWI/DUI cannot transport children. At least one adult who transports children shall have current certification in cardiopulmonary resuscitation (CPR). All vehicles used for transportation of children will have an operable, fully charged fire extinguisher, first-aid kit, first-aid manual, water, and blanket.

- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **Out-of-school programs who transport children are responsible for the care of children from the time of pick up until return to a responsible adult. ECECD requires a provider to license all vehicles used for transporting children and will meet all applicable state vehicle laws. A child shall be transported only if the child is properly secured in a child passenger restraint device or by a safety belt. A program will load and unload children at the curbside of the vehicle or in a protected parking area or driveway. The program will ensure children do not cross a street unsupervised after leaving the vehicle. Vehicles used for transporting children will be enclosed and properly maintained. Vehicles shall be cleaned and inspected inside and out. Vehicles shall be air-conditioned whenever the outside air temperature exceeds 82 degrees Fahrenheit. If the outside air temperature falls below 50 degrees Fahrenheit, the center will ensure the vehicle is heated. No one will smoke in a vehicle used for transporting children. Children may be transported only in vehicles that have current registration and insurance coverage. All drivers must have a current driver's license and comply with motor vehicle and traffic laws. Persons who have been convicted in the last seven years of a misdemeanor or felony DWI/DUI cannot transport children. At least one adult who transports children shall have current certification in cardiopulmonary resuscitation (CPR). All vehicles used for transportation of children will have an operable, fully charged fire extinguisher, first-aid kit, first-aid manual, water, and blanket.**

5.3.10 Pediatric first aid and pediatric cardiopulmonary resuscitation (CPR) health and safety standard

- a. Provide the standards, appropriate to the provider setting and age of children, that address pediatric first aid for all staff for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **All educators in a center are required to be certified in pediatric first aid. During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **All educators in a licensed home are required to be certified in pediatric first aid. During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:

[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care**

facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address pediatric first aid for all staff as required by the Department of Defense and Tribal CCDF Lead Agencies. These facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.

- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **All registered home providers and substitute caregivers are required to be certified in pediatric first aid. During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**
 - vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **All in-home providers are required to be certified in pediatric first aid. During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**
 - vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **All educators in an out-of-school program are required to be certified in pediatric first aid. During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**
- b. Provide the standards, appropriate to the provider setting and age of children, that address pediatric cardiopulmonary resuscitation for all staff for the following CCDF-eligible providers:
- i. All CCDF-eligible licensed center care. Provide the standard: **All educators in a center are required to be certified in pediatric cardiopulmonary (CPR). During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **All educators in a licensed home are required to be certified in pediatric cardiopulmonary (CPR). During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:

[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address pediatric cardiopulmonary (CPR) for all staff as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
 - v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **All registered home providers and substitute caregivers are required to be certified in**

pediatric cardiopulmonary (CPR). During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.

- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **All in-home providers are required to be certified in pediatric cardiopulmonary (CPR). During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **All educators in an out-of-school program are required to be certified in pediatric cardiopulmonary (CPR). During emergency declarations, including a public health emergency, online first aid and CPR training may be approved.**

5.3.11 Identification and reporting of child abuse and neglect health and safety standard

- a. Provide the standards, appropriate to the provider setting and age of children, that address the identification of child abuse and neglect for the following CCDF-eligible providers:
 - i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires center providers to maintain a record of observations of recent bruises, bites or signs of potential abuse or neglect, which must be reported to the Children, Youth and Families Department and ECECD. The records must be kept at the facility for 12 months after the child's last day of attendance. Center providers are required to have written child abuse/neglect reporting procedures and must be included in the parent and staff handbook. Parents and staff are required to sign an acknowledgment that they have received, read, and understand the contents of the handbook. Center directors will develop and document an orientation and training plan for new staff members and volunteers and will provide information on training opportunities. The director will have on file a signed acknowledgment of completion of orientation by employees, volunteers, and substitutes, as well as the director. New staff will participate in an orientation before working with children. Initial orientation will include training on recognition of childhood illness and indicators of child abuse, policies regarding guidance, child abuse and neglect reporting, and handling of complaints.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD requires homes to maintain a record of observations of recent bruises, bites or signs of potential abuse or neglect, which must be reported to the Children, Youth and Families Department and ECECD. The records must be kept at the facility for 12 months after the child's last day of attendance. Home providers are required to have written child abuse/neglect reporting procedures and must be included in the parent and staff handbook. Parents and staff are required to sign an acknowledgment that they have received, read, and understand the contents of the handbook.**
 - iii. All CCDF-eligible licensed in-home care. Provide the standard:
[x] Not applicable.
 - iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care**

facilities operated by the federal government (military installations) are exempt from licensure and must have standards that address the identification of child abuse and neglect as required by the Department of Defense. These facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) in order to receive CCDF funds.

- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **All caregivers are responsible for immediately reporting to the appropriate authorities any signs or symptoms of child abuse or neglect. All educators must be trained on the recognition and reporting of child abuse and neglect.**
 - vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **All caregivers are responsible for immediately reporting to the appropriate authorities any signs or symptoms of child abuse or neglect. All educators must be trained on the recognition and reporting of child abuse and neglect.**
 - vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **ECECD requires out-of-school time programs to maintain a record of observations of recent bruises, bites or signs of potential abuse or neglect, which must be reported to the Children, Youth and Families Department and ECECD. The records must be kept at the facility for 12 months after the child's last day of attendance. Programs are required to have written child abuse/neglect reporting procedures and must be included in the parent and staff handbook. Parents and staff are required to sign an acknowledgment that they have received, read, and understand the contents of the handbook. Directors will develop and document an orientation and training plan for new staff members and volunteers and will provide information on training opportunities. The director will have on file a signed acknowledgment of completion of orientation by employees, volunteers, and substitutes, as well as the director. New staff will participate in an orientation before working with children. Initial orientation will include training on recognition of childhood illness and indicators of child abuse, policies regarding guidance, child abuse and neglect reporting, and handling of complaints.**
- b. Provide your standards, appropriate to the provider setting and age of children, that address the reporting of child abuse and neglect for the following CCDF-eligible providers:
- i. All CCDF-eligible licensed center care. Provide the standard: **ECECD requires centers to report abuse or neglect of a child immediately to Child Protective Services and local law enforcement. After making a report to Children's Protective Services and local law enforcement, the center shall notify ECECD's regulatory oversight unit as soon as possible but no later than 24 hours after the incident occurred. A report should first be made by telephone and followed with written notification.**
 - ii. All CCDF-eligible licensed family child care homes. Provide the standard: **ECECD requires homes to report abuse or neglect of a child immediately to Child Protective Services and local law enforcement. After making a report to Children's Protective Services and local law enforcement, the home shall notify ECECD's regulatory oversight unit as soon as possible but no later than 24 hours after the incident occurred. A report should first be made by telephone and followed with**

written notification.

- iii. All CCDF-eligible licensed in-home care. Provide the standard:
☒ Not applicable.
- iv. All CCDF-eligible license-exempt center care. Provide the standard: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have standards that address the reporting of child abuse and neglect as required by the Department of Defense and Tribal CCDF Lead Agencies. Military facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.**
- v. All CCDF-eligible license-exempt family child care homes. Provide the standard: **ECECD requires homes to report abuse or neglect of a child immediately to Child Protective Services and local law enforcement. After making a report to Children's Protective Services and local law enforcement, the home shall notify ECECD's regulatory oversight unit as soon as possible but no later than 24 hours after the incident occurred. A report should first be made by telephone and followed with written notification.**
- vi. All CCDF-eligible license-exempt in-home care. Provide the standard: **ECECD requires homes to report abuse or neglect of a child immediately to Child Protective Services and local law enforcement. After making a report to Children's Protective Services and local law enforcement, the home shall notify ECECD's regulatory oversight unit as soon as possible but no later than 24 hours after the incident occurred. A report should first be made by telephone and followed with written notification.**
- vii. All CCDF-eligible out-of-school programs (afterschool programs, summer camps, day camps, etc.). Provide the standard: **ECECD requires out-of-school programs to report abuse or neglect of a child immediately to Child Protective Services and local law enforcement. After making a report to Children's Protective Services and local law enforcement, the program shall notify ECECD's regulatory oversight unit as soon as possible but no later than 24 hours after the incident occurred. A report should first be made by telephone and followed with written notification.**
- c. Confirm if child care providers must comply with the [Lead Agency's](#) procedures for reporting child abuse and neglect as required by the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i):
☒ Yes, confirmed.
☐ No. If no, describe:

5.3.12 Additional optional standards

In addition to the required health and safety standards, does the Lead Agency require providers to comply with the following optional standards?

☒ Yes.

[] No. If no, skip to Section 5.4

If yes, describe the standard(s).

- i. Nutrition. Describe: **This topic is integrated within the required training for competency. Staff who work directly with children are required to take nutrition training every year. Training must address all seven competency areas within two years. The competency areas are: (1) child growth, development, and learning; (2) health, safety, nutrition, and infection control; (3) family and community collaboration; (4) developmentally appropriate content; (5) learning environment and curriculum implementation; (6) assessment of children and programs; and (7) professionalism. License-exempt providers must also participate in the child and adult care food program (CACFP) to maintain their registration.**
- ii. Access to physical activity. Describe: **Full-time children shall have a minimum of 60 minutes of physical activity daily, weather permitting, preferably outside. Part-time children shall have a minimum of 30 minutes of physical activity daily, preferably outside. The provider will ensure drinking water is available and maintained at a cool temperature while playing outside.**
- iii. Caring for children with special needs. Describe: **Providers are responsible for staff awareness of community resources for families of children with disabilities, including children under the age of five years as well as those of school age. If child care staff believe that a child may have a delay or disability, possible resources for referral and assistance are provided to parents when appropriate. No referral for special needs services to an outside agency will be made without a parent's consent. The Family Education Right and Privacy Act (FERPA) will be respected at all times. Child care providers are responsible for staff awareness of the Americans with Disabilities Act (ADA) as it relates to enrolling and caring for children with disabilities.**
- iv. Any other areas determined necessary to promote child development or to protect children's health and safety. Describe: **N/A**

5.4 Pre-Service or Orientation Training on Health and Safety Standards

Lead Agencies must have requirements for all caregivers, teachers, and directors at CCDF providers to complete pre-service or orientation training (within 3 months of starting) on all CCDF health and safety standards and child development. The training must be appropriate to the setting and the age of children served. This training must address the required health and safety standards and the content area of child development. Lead Agencies have flexibility in determining the minimum number of training hours to require, and are encouraged to consult with Caring for our Children Basics for best practices.

Exemptions for relative providers' training requirements are addressed in question 5.8.1.

5.4.1 Health and safety pre-service/orientation training requirements

Lead Agencies must certify staff have pre-service or orientation training on each standard that is appropriate to different settings and age groups. Lead Agencies may require pre-service or orientation to be completed before staff can care for children unsupervised. In the table below, check the boxes for which you have training requirements.

	Is this standard addressed in the pre-service or orientation training?	Is the pre-service or orientation training on this standard appropriate to different settings and age groups?	Does the Lead Agency require staff to complete the training before caring for children unsupervised?
a. Prevention and control of infectious diseases (including immunizations)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. SIDS prevention and use of safe sleep practices	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Administration of medication	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Prevention and response to food and allergic reactions	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Building and physical premises safety, including identification of and protection from hazards, bodies of water, and vehicular traffic	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Prevention of shaken baby syndrome, abusive head trauma and child maltreatment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Emergency preparedness and response planning and procedures	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Handling and storage of hazardous materials and disposal of biocontaminants	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Appropriate Precautions in transporting children, if applicable	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Pediatric first aid and pediatric CPR (age-appropriate)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. Child abuse and neglect recognition and reporting	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. Child development including major domains of cognitive, social, emotional, physical development and approaches to learning.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

m. If the Lead Agency does not certify implementation of all the health and safety pre-service/orientation training requirements for staff in programs serving children receiving CCDF assistance, please describe: **ECECD received a non-compliance notice on February 14, 2024 because the required pre-service/orientation training for licensed and license-exempt providers does not include child development, to include the major domains: cognitive, social, emotional, physical development, and approaches to learning. Regulations must be amended to comply. ECECD is actively drafting changes to rule and revised professional development requirements to come into compliance. We expect for these regulation changes to post and be in effect October 2024.**

n. Are there any provider categories to whom the above pre-service or orientation training requirements do not apply?

☒ No

☐ Yes. If yes, describe:

5.5 Monitoring and Enforcement of Licensing and Health and Safety Requirements

5.5.1 Inspections for licensed CCDF providers

Licensing inspectors must perform at least one annual, unannounced inspection of each licensed CCDF provider for compliance with all child care licensing standards, including an inspection for compliance with health and safety and fire standards. Lead Agencies must conduct at least one

pre-licensure inspection for compliance with health, safety, and fire standards of each child care provider and facility in the State/Territory.

a. Licensed CCDF center-based providers

- i. Does your pre-licensure inspection for licensed center-based providers assess compliance with health standards, safety standards, and fire standards?

☒ Yes.

☐ No. If no, describe:

- ii. Identify the frequency of annual unannounced inspections for licensed center-based providers addressing compliance with health, safety, and fire standards:

☐ Annually.

☒ More than once a year. If more than once a year, describe: **ECECD licensing inspectors perform at least two unannounced inspections per year to monitor/survey and ensure compliance with health, safety, and fire standards for licensed center-based providers.**

☐ Other. If other, describe:

- iii. Does the Lead Agency implement a differential monitoring approach when monitoring licensed center-based providers?

☐ Yes. If yes, describe how the differential monitoring approach is representative of the full complement of health and safety requirements.

☒ No. If no, describe: **ECECD monitors the full complement of the health, safety, and fire standards for licensed centers.**

- iv. Identify which department or agency is responsible for completing the inspections for licensed center-based providers. **New Mexico Early Childhood Education and Care Department (ECECD).**

b. Licensed CCDF family child care providers

- i. Does your pre-licensure inspection for licensed family child care homes assess compliance with health standards, safety standards, and fire standards?

☒ Yes.

☐ No. If no, describe:

- ii. Identify the frequency of annual unannounced inspections for licensed family child care homes addressing compliance with health, safety, and fire standards:

☐ Annually.

☒ More than once a year. If more than once a year, describe: **ECECD licensing inspectors perform at least two unannounced inspections per year to**

☐ Other. If other, describe:

- iii. Does the Lead Agency implement a differential monitoring approach when monitoring licensed family child care providers?

☐ Yes. If yes, describe how the differential monitoring approach is representative

of the full complement of health and safety requirements.

☒ No. If no, describe: **ECECD monitors the full complement of the health, safety, and fire standards for licensed homes.**

- iv. Identify which department or agency is responsible for completing the inspections for licensed family child care providers. **New Mexico Early Childhood Education and Care Department (ECECD).**

c. Licensed in-home CCDF child care providers

- i. Does your Lead Agency license CCDF in-home child care (care in the child's own home) providers?

☒ No.

☐ Yes. If yes, does your pre-licensure inspection for licensed in-home providers assess compliance with health, safety, and fire standards?

☐ Yes.

☐ No. If no, describe:

- ii. Identify the frequency of annual unannounced inspections for licensed in-home child care providers for compliance with health, safety, and fire standards completed:

☐ Annually.

☐ More than once a year. If more than once a year, describe:

☒ Other. If other, describe: **N/A**

- iii. Does the Lead Agency implement a differential monitoring approach when monitoring licensed in-home child care providers?

☐ Yes. If yes, describe how the differential monitoring approach is representative of the full complement of health and safety requirements.

☒ No.

- iv. Identify which department or agency is responsible for completing the inspections for licensed in-home providers. **N/A**

5.5.2 Inspections for license-exempt providers

Licensing inspectors must perform at least one annual monitoring visit of each license-exempt CCDF provider for compliance with health, safety, and fire standards. Inspections for relative providers will be addressed in subsection 5.8.

Describe the policies and practices for the annual monitoring of:

a. License-exempt CCDF center-based child care providers

- i. Identify the frequency of inspections for compliance with health, safety, and fire standards for license-exempt center-based providers:

☐ Annually.

☐ More than once a year. If more than once a year, describe:

☒ Other. If other, describe: **Child care facilities operated by the federal government (military installations and tribal CCDF) are exempt from licensure by the State of New Mexico and are instead regulated and licensed by the federal Department of Defense or Tribal CCDF ECECD. Military facilities are required to maintain and submit annual copies of their Department of Defense certificate and accreditation (if applicable) in order to receive CCDF funds. For Tribal CCDF providers, these facilities are required to submit proof of tribal CCDF approval annually.**

- ii. Does the Lead Agency implement a differential monitoring approach when monitoring license-exempt center-based providers?

☐ Yes. If yes, describe how the differential monitoring approach is representative of the full complement of health and safety requirements.

☒ No.

- iii. Identify which department or agency is responsible for completing the inspections for license-exempt center-based CCDF providers. **Department of Defense or Tribal CCDF ECECD.**

b. License-exempt CCDF family child care providers

- i. Identify the frequency of the inspections of license-exempt family child care providers to determine compliance with health, safety, and fire standards:

☒ Annually.

☐ More than once a year. If more than once a year, describe:

☐ Other. If other, describe:

- ii. Does the Lead Agency implement a differential monitoring approach when monitoring license-exempt family child care providers?

☐ Yes. If yes, describe how the differential monitoring approach is representative of the full complement of health and safety requirements.

☒ No.

- iii. Identify which department or agency is responsible for completing the inspections for license-exempt family child care providers. **Department of Defense or Tribal CCDF ECECD.**

5.5.3 Inspections for CCDF license-exempt in-home child care providers

Lead Agencies may develop alternate monitoring requirements for care provided in the child's home that are appropriate to the setting. This flexibility cannot be used to bypass the monitoring requirement altogether.

- a. Describe the requirements for the annual monitoring of CCDF license-exempt in-home child care (care in the child's own home) providers, including if monitoring is announced or unannounced, occurs more frequently than once per year, and if differential monitoring procedures are used. **Parents or guardians must consent to initial and annual unannounced inspections. In-home child care providers are monitored all the applicable health and safety standards.**

- b. List the entity(ies) in your State/Territory responsible for conducting inspections of license-exempt CCDF in-home child care (care in the child's own home) providers: **New Mexico Early Childhood Education and Care Department (ECECD).**

5.5.4 Posting monitoring and inspection reports

Lead Agencies must post monitoring and inspection reports on their consumer education website for each licensed and CCDF child care provider, except in cases where the provider is related to all the children in their care. These reports must include the results of required annual monitoring visits and visits due to major substantiated complaints about a provider's failure to comply with health and safety requirements and child care policies. A full report covers everything in the monitoring visit, including areas of compliance and non-compliance. If the Lead Agency does not produce any reports that include areas of compliance, the website must include information about all areas covered by a monitoring visit.

The reports must be in plain language or provide a plain language summary Lead Agency and be timely to ensure that the results of the reports are available and easily understood by parents when they are deciding on a child care provider. Lead Agencies must post at least 3 years of monitoring and inspection reports.

- a. Does the Lead Agency post:
 - i. ☒ Pre-licensing inspection reports for licensed programs.
 - ii. ☒ Full monitoring and inspection reports that include areas of compliance and non-compliance for all non-relative providers eligible to provide CCDF services.
 - iii. ☐ Monitoring and inspection reports that include areas of non-compliance only, with information about all areas covered by a monitoring visit posted separately on the website (e.g., a blank checklist used by monitors) for all non-relative providers eligible to provide CCDF services. If checked, provide a direct URL/website link to the website where a blank checklist is posted:
 - iv. ☐ Other. Describe:
- b. Check if the monitoring and inspection reports and any related plain language summaries include:
 - i. ☒ Date of inspection.
 - ii. ☒ Health and safety violations, including those violations that resulted in fatalities or serious injuries occurring at the provider. Describe how these health and safety violations are prominently displayed: **The compliance status for each regulation is prominently displayed on the form. Violations of regulations will be noted. In plain language, the survey outlines the health and safety violation, including any fatalities or serious injuries, that were found and the corrective action plan with timeline for completion.**
 - iii. ☒ Corrective action plans taken by the Lead Agency and/or child care provider. Describe: **The ECECD licensing authority will conduct a survey at least twice a year in each childcare facility using these regulations as criteria and will formulate corrective action plans depending on any deficiencies found. The ECECD licensing authority will conduct additional surveys or visit the childcare facility additional times to provide technical assistance, to check progress on correction of**

deficiencies found on previous surveys and corrective action plans, or to investigate complaints.

- iv. ☒ A minimum of 3 years of results, where available.
- v. If any of the components above are not selected, please explain: **N/A**
- c. Lead Agencies must post monitoring and inspection reports and/or any related summaries in a timely manner.
 - i. Provide the direct URL/website link to where the reports are posted:
<https://www.nmcecd.org/child-care-services/child-care-licensed-and-registered-provider-inspection-surveys/>
 - ii. Identify the Lead Agency's established timeline for posting monitoring reports and describe how it is timely: **ECECD defines timely as no later than 45 days upon completion of each provider inspection. On the 5th of each month, the supervisor receives a report outlining all pending surveys that must be made public on the Sans Write public website portal. The supervisor has 10 days from the receipt of the report to review and publicize each survey onto the portal.**
- d. Does the Lead Agency certify that the monitoring and inspection reports or the summaries are in plain language that is understandable to parents and other consumers?
☒ Yes.
☐ No. If no, describe:
- e. Does the Lead Agency certify that there is a process for correcting inaccuracies in the monitoring and inspection reports?
☒ Yes.
☐ No. If no, describe:
- f. Does the Lead Agency maintain monitoring and inspection reports on the consumer education website?
☒ Yes.
☐ No. If no, describe:

5.5.5 Qualifications and training of licensing inspectors

Lead Agencies must ensure that individuals who are hired as licensing inspectors (or qualified monitors designated by the Lead Agency) are qualified to inspect child care providers and facilities and have received health and safety training appropriate to the provider setting and age of the children served.

Describe how the Lead Agency ensures that licensing inspectors (or qualified monitors designated by the Lead Agency) are qualified and have received training on health and safety requirements that are appropriate to the age of the children in care and the type of provider setting. **On-the-job training is provided upon hire in all aspects of ECECD's licensure requirements. All licensing inspectors receive ongoing relevant training. Licensing inspectors are required to complete 24 hours of ongoing training annually. These hours may be accomplished through early childhood conferences, Quorum, NARA, and webinars. Ongoing training also occurs during monthly regional staff meetings and quarterly all-staff meetings. Training topics include but are not limited to**

trends in cited deficiencies, surveying process such as how to develop corrective action plans with providers, conducting root cause analysis. Guest speakers are also brought in to go over different topics of interest to the team. All Licensing inspectors must take the CCDF Preservice/orientation training that is required of providers and are NARA Certified or working on becoming certified.

5.5.6 Ratio of licensing inspectors

Lead Agencies must ensure the ratio of licensing inspectors to child care providers and facilities in the State/Territory are maintained at a level sufficient to enable the Lead Agency to conduct effective inspections of child care providers and facilities on a timely basis in accordance with federal, State, and local laws.

Provide the ratio of licensing inspectors to child care providers (i.e., number of inspectors per number of child care providers) and facilities in the State/Territory and include how the ratio is sufficient to conduct effective inspections on a timely basis. **ECECD follows the practice of utilizing a ratio of one inspector per 60 providers. In rural areas, this count may be lower to account for extensive drive times. This practice is cited in Module 6: Personnel, page 12 of the procedures and training manual for Regulatory Supervisors for managing staff caseload assignments. The manual is accessed by staff through SharePoint and is not available to the general public.**

5.6 Ongoing Health and Safety Training

Lead Agencies must have ongoing training requirements for all caregivers, teachers, and directors of eligible CCDF providers for health and safety standards but have discretion on frequency and training content (e.g., pediatric CPR refresher every year and recertification every 2 years). Lead Agencies have discretion on which health and safety standards are subject to ongoing training. Lead Agencies may exempt relative providers from these requirements.

5.6.1 Required ongoing training of health and safety standards

Describe any required ongoing training of health and safety standards for caregivers, teachers, and directors of the following CCDF eligible provider types.

- a. Licensed child care centers: **Each staff person working directly with children and more than 20 hours per week, including the director, is required to obtain at least 24 hours of training each year. Training must address all seven competency areas within two years: (1) child growth, development and learning; (2) health, safety, nutrition and infection control (which include CCDBG/CCDF safety topics); (3) family and community collaboration; (4) developmentally appropriate content; (5) learning environment and curriculum implementation; (6) assessment of children and programs; and (7) professionalism. Substitutes, volunteers, and educators routinely employed in a center but working 20 hours or fewer a week, will complete half the required training hours. Directors may count hours in personnel and business training toward the training requirement. Infant and toddler educators must have at least four hours of training in infant and toddler care annually and within three months of starting work. The four hours will count toward the 24-hour requirement.**
- b. License-exempt child care centers: **Child care facilities operated by the federal government (military installations and tribal) are exempt from licensure and must have**

standards that address ongoing training of health and safety standards as required by CCDBG/CCDF, the Department of Defense, and Tribal CCDF Lead Agencies. These facilities are required to maintain and submit copies of their Department of Defense certificate and accreditation (if applicable) to ECECD in order to receive CCDF funds. Tribal child care providers are required to submit to ECECD proof of tribal CCDF approval.

- c. Licensed family child care homes: Educators working for a home will receive at least 12 documented hours of training during each year, including six hours in child growth and development and three hours in health, safety, nutrition, and infection control. The three remaining training hours must be within the seven competency areas. Substitutes and part time second educators routinely employed in the home but working 20 hours or less a week shall complete half the required training hours. Such employees working more than 20 hours per week shall complete all required training hours. The primary educator in a licensed home shall complete all required training hours, regardless of the number of hours worked.
- d. License-exempt family child care homes: Primary and substitute caregivers are required to attend six hours of training annually. Training shall be within the seven competency areas: (1) child growth, development and learning; (2) health, safety, nutrition and infection control (which include CCDBG/CCDF safety topics); (3) family and community collaboration; (4) developmentally appropriate content; (5) learning environment and curriculum implementation; (6) assessment of children and programs; and (7) professionalism.
- e. Regulated or registered in-home child care: Primary and substitute caregivers are required to attend six hours of training annually. Training shall be within the seven competency areas: (1) child growth, development and learning; (2) health, safety, nutrition and infection control (which include CCDBG/CCDF safety topics); (3) family and community collaboration; (4) developmentally appropriate content; (5) learning environment and curriculum implementation; (6) assessment of children and programs; and (7) professionalism.
- f. Non-regulated or registered in-home child care: N/A

5.7 Comprehensive Background Checks

Lead Agencies must conduct comprehensive background checks for all child care staff members (including prospective staff members) of all child care providers that are (1) licensed, regulated, or registered under State/Territory law, regardless of whether they receive CCDF funds; or (2) all other child care providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible child care providers). Family child care home providers must also submit background check requests for all household members age 18 or older.

A comprehensive background check must include: three in-state checks, two national checks, and three interstate checks if the individual resided in another State or Territory in the preceding 5 years. The background check components must be completed at least once every five years.

All child care staff members must receive a qualifying result from either the FBI criminal background check or an in-state fingerprint criminal history check before working (under supervision) with or near children. Lead Agencies must apply a CCDF-specific list of disqualifying crimes for child care providers serving families participating in CCDF.

These background check requirements do not apply to individuals who are related to all children for whom child care services are provided. Exemptions for relative providers will be addressed in subsection 5.8.

5.7.1 In-state criminal history check with fingerprints

- a. Does the Lead Agency conduct in-state criminal history background checks with fingerprints for all child care staff members (including prospective staff members) of licensed, regulated, or registered child care providers, regardless of CCDF participation?
- ☒ Yes.
- ☐ No. If no, describe any categories of licensed, regulated, or registered child care providers for whom you do not conduct in-state criminal background checks with fingerprints.
- b. Does the Lead Agency conduct in-state criminal history background checks with fingerprints for all child care staff members (including prospective staff members) of all other child care providers eligible for CCDF participation (i.e., license-exempt providers) other than relative providers?
- ☒ Yes.
- ☐ No. If no, describe any categories of child care providers eligible for CCDF participation for whom you do not conduct in-state criminal background checks with fingerprints.
- c. Does the Lead Agency conduct the in-state criminal background check with fingerprints for all individuals age 18 or older who reside in a family child care home?
- ☒ Yes.
- ☐ No. If no, describe individuals age 18 or older who reside in a family child care home who do not receive an in-state criminal background check with fingerprints.

5.7.2 National Federal Bureau of Investigation (FBI) criminal history check with fingerprints

- a. Does the Lead Agency conduct FBI criminal history background checks with fingerprints for all child care staff members (including prospective staff members) of licensed, regulated, or registered child care providers, regardless of CCDF participation?
- ☒ Yes.
- ☐ No. If no, describe any categories of licensed, regulated, or registered child care providers for whom you do not conduct FBI criminal background checks with fingerprints.
- b. Does the Lead Agency conduct FBI criminal history background checks with fingerprints for all child care staff members (including prospective staff members) of all other child care providers eligible for CCDF participation (i.e., license-exempt providers)?
- ☒ Yes.
- ☐ No. If no, describe any categories of child care providers eligible for CCDF participation for whom you do not conduct FBI criminal background checks.
- c. Does the Lead Agency conduct the FBI criminal background check with fingerprints for all individuals age 18 or older who reside in a family child care home?

☒ Yes.

☐ No. If no, describe individuals age 18 or older who reside in a family child care home who do not receive an FBI criminal background check with fingerprints.

5.7.3 National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) name-based check

The majority of NCIC NSOR records are fingerprint records and are automatically included in the FBI fingerprint criminal background check. But a small percentage of NCIC NSOR records are only name-based records and must be accessed through the required name-based search of the NCIC NSOR.

- a. Does the Lead Agency conduct NCIC NSOR name-based background checks for all child care staff members (including prospective staff members) of licensed, regulated, or registered child care providers, regardless of CCDF participation?

☒ Yes.

☐ No. If no, describe any categories of licensed, regulated, or registered child care providers for whom you do not conduct NCIC NSOR name-based background checks.

- b. Does the Lead Agency conduct NCIC NSOR name-based background checks for all child care staff members (including prospective staff members) of all other child care providers eligible for CCDF participation (i.e., license-exempt providers)?

☒ Yes.

☐ No. If no, describe any categories of child care providers eligible for CCDF participation for whom you do not conduct NCIC NSOR name-based background checks.

- c. Does the Lead Agency conduct the NCIC NSOR name-based background check for all individuals age 18 or older who reside in a family child care home?

☒ Yes.

☐ No. If no, describe individuals age 18 or older who reside in a family child care home who do not receive a NCIC NSOR name-based background check.

5.7.4 In-state sex offender registry (SOR) check

- a. Does the Lead Agency conduct in-state SOR checks for all child care staff members (including prospective staff members) of licensed, regulated, or registered child care providers, regardless of CCDF participation?

☒ Yes.

☐ No. If no, describe any categories of licensed, regulated, or registered child care providers for whom you do not conduct in-state SOR background checks.

- b. Does the Lead Agency conduct in-state SOR background checks for all child care staff members (including prospective staff members) of all other child care providers eligible for CCDF participation (i.e., license-exempt providers)?

☒ Yes.

☐ No. If no, describe any categories of child care providers eligible for CCDF participation for whom you do not conduct in-state SOR background checks.

- c. Does the Lead Agency conduct the in-state SOR background check for all individuals age 18 or older who reside in a family child care home?

☒ Yes.

☐ No. If no, describe individuals age 18 or older who reside in a family child care home who do not receive an in-state SOR background check.

5.7.5 In-state child abuse and neglect (CAN) registry check

- a. Does the Lead Agency conduct CAN registry checks for all child care staff members (including prospective staff members) of licensed, regulated, or registered child care providers, regardless of CCDF participation?

☒ Yes.

☐ No. If no, describe any categories of licensed, regulated, or registered child care providers for whom you do not conduct CAN registry checks.

- b. Does the Lead Agency conduct CAN registry checks for all child care staff members (including prospective staff members) of all other child care providers eligible for CCDF participation (i.e., license-exempt providers)?

☒ Yes.

☐ No. If no, describe any categories of child care providers eligible for CCDF participation for whom you do not conduct CAN registry checks.

- c. Does the Lead Agency conduct the CAN registry check for all individuals age 18 or older who reside in a family child care home?

☒ Yes.

☐ No. If no, describe individuals age 18 or older who reside in a family child care home who do not receive a CAN registry check.

5.7.6 Interstate criminal history check

These questions refer to requirements for a Lead Agency to conduct an interstate check for a child care staff member (including prospective child care staff members) who currently lives in their State or Territory but has lived in another State, Territory, or Tribal land within the previous 5 years.

- a. Does the Lead Agency conduct interstate criminal history background checks for any staff member (or prospective staff member) who resided in other state(s) in the past 5 years of licensed, regulated, or registered child care providers, regardless of CCDF participation?

☒ Yes.

☐ No. If no, describe any categories of licensed, regulated, or registered child care providers for whom you do not conduct interstate criminal history background checks.

- b. Does the Lead Agency conduct interstate criminal history background checks for any staff

member (or prospective staff member) who resided in other state(s) in the past 5 years eligible for CCDF participation (i.e., license-exempt providers)?

☒ Yes.

☐ No. If no, describe any categories of child care providers eligible for CCDF participation for whom you do not conduct interstate criminal history background checks.

- c. Does the Lead Agency conduct interstate criminal history background checks for all individuals age 18 or older who reside in a family child care home and resided in other state(s) in the past 5 years.

☒ Yes.

☐ No. If no, describe why individuals age 18 or older that resided in other state(s) in the past 5 years who reside in a family child care home that do not receive an interstate criminal history background check.

5.7.7 Interstate Sex Offender Registry (SOR) check

These questions refer to requirements for a Lead Agency to conduct an interstate check for a child care staff member (including prospective child care staff members) who currently lives in their State or Territory but has lived in another State, Territory, or Tribal land within the previous 5 years.

- a. Does the Lead Agency conduct interstate SOR checks for any staff member (or prospective staff member) who resided in other state(s) in the past 5 years of licensed, regulated, or registered child care providers, regardless of CCDF participation?

☒ Yes.

☐ No. If no, describe any categories of licensed, regulated, or registered child care providers for whom you do not conduct interstate SOR checks.

- b. Does the Lead Agency conduct interstate SOR checks for any staff member (or prospective staff member) who resided in other state(s) in the past 5 years eligible for CCDF participation (i.e., license-exempt providers)?

☒ Yes.

☐ No. If no, describe any categories of child care providers eligible for CCDF participation for whom you do not conduct interstate SOR checks.

- c. Does the Lead Agency conduct the interstate SOR checks for all individuals age 18 or older who resided in other state(s) in the past 5 years who reside in a family child care home?

☒ Yes.

☐ No. If no, describe individuals age 18 or older that resided in other state(s) in the past 5 years who reside in a family child care home that do not receive an interstate SOR check.

5.7.8 Interstate child abuse and neglect (CAN) registry check

These questions refer to requirements for a Lead Agency to conduct an interstate check for a child care staff member (including prospective child care staff members) who currently lives in their State or Territory but has lived in another State, Territory, or Tribal land within the previous 5 years.

- a. Does the Lead Agency conduct interstate CAN registry checks for any staff member (or prospective staff member) that resided in other state(s) in the past 5 years of licensed, regulated, or registered child care providers, regardless of CCDF participation?
☒ Yes.
☐ No. If no, describe any categories of licensed, regulated, or registered child care providers for whom you do not conduct interstate CAN registry checks.
- b. Does the Lead Agency conduct interstate CAN registry checks for any staff member (or prospective staff member) who resided in other state(s) in the past 5 years eligible for CCDF participation (i.e., license-exempt providers)?
☒ Yes.
☐ No. If no, describe any categories of child care providers eligible for CCDF participation for whom you do not conduct interstate CAN registry checks.
- c. Does the Lead Agency conduct the interstate CAN registry checks for all individuals age 18 or older who resided in other state(s) in the past 5 years who reside in a family child care home?
☒ Yes.
☐ No. If no, describe individuals age 18 or older that resided in other state(s) in the past 5 years who reside in a family child care home that do not receive interstate CAN registry checks.

5.7.9 Disqualifications for child care employment

The Lead Agency must prohibit employment of individuals with child care providers receiving CCDF subsidy payment if they meet any of the following disqualifying criteria:

- Refused to consent to a background check.
 - Knowingly made materially false statements in connection with the background check.
 - Are registered, or are required to be registered, on the State/Territory sex offender registry or repository or the National Sex Offender Registry.
 - Have been convicted of a felony consisting of murder, child abuse or neglect, crimes against children (including child pornography), spousal abuse, crimes involving rape or sexual assault, kidnapping, arson, physical assault, or battery.
 - Have a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or any misdemeanor involving child pornography.
 - Convicted of a felony consisting of a drug-related offense committed during the preceding 5 years.
- a. Does the Lead Agency disqualify the employment of child care staff members (including prospective staff members) by child care providers receiving CCDF subsidy payment for CCDF-identified disqualifying criteria?
☒ Yes.

- ☐ No. If no, describe the disqualifying criteria:
- b. Does the Lead Agency use the same criteria for licensed, regulated, and registered child care providers regardless of CCDF participation?
- ☒ Yes.
- ☐ No. If no, describe any disqualifying criteria used for licensed, regulated, and registered child care providers:
- c. How does the Lead Agency use results from the in-state child abuse and neglect registry check?
- ☐ Does not use them to disqualify employment.
- ☒ Uses them to disqualify employment. If checked, describe: **ECECD uses the following in a conclusion that the applicant is an unreasonable risk: a conviction, regardless of the degree of the crime or the date of the conviction, of trafficking in controlled substances, criminal sexual penetration or related sexual offenses or child abuse; a substantiated referral, regardless of the date, for sexual abuse or for a substantiation of abuse or neglect relating to a failure to protect against sexual abuse; the applicant's child is in Children, Youth and Families Department (CYFD) or another state's custody.**
- d. How does the Lead Agency use results from the interstate child abuse and neglect registry check?
- ☐ Does not use them to disqualify employment.
- ☒ Uses them to disqualify employment. If checked, describe: **ECECD uses the following in a conclusion that the applicant is an unreasonable risk: a conviction, regardless of the degree of the crime or the date of the conviction, of trafficking in controlled substances, criminal sexual penetration or related sexual offenses or child abuse; a substantiated referral, regardless of the date, for sexual abuse or for a substantiation of abuse or neglect relating to a failure to protect against sexual abuse; the applicant's child is in CYFD or another state's custody.**

5.7.10 Privacy

Lead Agencies must ensure the privacy of a prospective staff member by notifying child care providers of the individual's eligibility or ineligibility for child care employment based on the results of the comprehensive background check without revealing any documentation of criminal history or disqualifying crimes or other related information regarding the individual.

Does the Lead Agency certify they ensure the privacy of child care staff members (including prospective child care staff member) when providing the results of the comprehensive background check?

☒ Yes.

☐ No. If no, describe the current process of notification:

5.7.11 Appeals processes for background checks

Lead Agencies must provide for a process that allows child care provider staff members (and prospective staff members) to appeal the results of a background check to challenge the accuracy or completeness of the information contained in the individual's background check report.

Does the appeals process:

- i. Provide the affected individual with information related to each disqualifying crime in a report, along with information/notice on the opportunity to appeal.
☒ Yes.
☐ No. Describe:
- ii. Provide the affected individual with clear instructions about how to complete the appeals process for each background check component if they wish to challenge the accuracy or completeness of the information contained in such individual's background report.
☒ Yes.
☐ No. Describe:
- iii. Ensure the Lead Agency attempts to verify the accuracy of the information challenged by the individual, including making an effort to locate any missing disposition information related to the disqualifying crime.
☒ Yes.
☐ No. Describe:
- iv. Get completed in a timely manner.
☒ Yes.
☐ No. Describe:
- v. Ensure the affected individual receives written notice of the decision. In the case of a negative determination, the decision must indicate (1) the Lead Agency's efforts to verify the accuracy of information challenged by the individual, (2) any additional appeals rights available to the individual, and (3) information on how the individual can correct the federal or State records at issue in the case.
☒ Yes.
☐ No. Describe:
- vi. Facilitate coordination between the Lead Agency and other agencies in charge of background check information and results (such as the Child Welfare office and the State Identification Bureau), to ensure the appeals process is conducted in accordance with the Act.
☒ Yes.
☐ No. Describe:

5.7.12 Provisional hiring of prospective staff members

Lead Agencies must at least complete and receive a qualifying result for either the FBI criminal background check or a fingerprint-based in-state criminal background check where the individual resides before prospective staff members may provide services or be in the vicinity of children.

Until all the background check components have been completed, the prospective staff member must be supervised at all times by someone who has already received a qualifying result on a background check within the past five years.

Check all background checks for which the Lead Agency requires a qualifying result before a prospective child care staff member begins work with children.

- a. FBI criminal background check.
☒ Yes.
☐ No. If no, describe:
- b. In-state criminal background check with fingerprints.
☒ Yes.
☐ No. If no, describe:
- c. In-state Sex Offender Registry.
☒ Yes.
☐ No. If no, describe:
- d. In-state child abuse and neglect registry.
☒ Yes.
☐ No. If no, describe:
- e. Name-based national Sex Offender Registry (NCIC NSOR).
☒ Yes.
☐ No. If no, describe:
- f. Interstate criminal background check, as applicable.
☒ Yes.
☐ No. If no, describe:
- g. Interstate Sex Offender Registry check, as applicable.
☒ Yes.
☐ No. If no, describe:
- h. Interstate child abuse and neglect registry check, as applicable.
☒ Yes.
☐ No. If no, describe:
- i. Does the Lead Agency require provisional hires to be supervised by a staff member who received a qualifying result on the comprehensive background check while awaiting results from the provisional hire's full comprehensive background check?

☒ Yes.

☐ No. If no, describe:

5.7.13 Completing the criminal background check within a 45-day timeframe

The Lead Agency must carry out a request from a child care provider for a criminal background check as expeditiously as possible, and no more than 45 days after the date on which the provider submitted the request

- a. Does the Lead Agency ensure background checks are completed within 45 days (after the date on which the provider submits the request)?

☒ Yes.

☐ No. If no, describe the timeline for completion for categories of providers, including which background check components take more than 45 days.

- b. Does the Lead Agency ensure child care staff receive a comprehensive background check when they work in your State but reside in a different State?

☒ Yes.

☐ No. If no, describe the current policy:

5.7.14 Responses to interstate background check requests

Lead Agencies must respond as expeditiously as possible to requests for interstate background checks from other States/Territories/Tribes in order to meet the 45-day timeframe.

- a. Does your State participate in the National Crime Prevention and Privacy Compact or National Fingerprint File programs?

☒ Yes.

☐ No.

- b. Describe how the State/Territory responds to interstate criminal history, Sex Offender Registry, and Child Abuse and Neglect Registry background check requests from another state. **ECECD requires applicants who are requesting an interstate criminal history check from another state to submit a criminal history request to the New Mexico Department of Public Safety. There is a \$15 fee for the request and the form must be notarized. ECECD processes the New Mexico abuse and neglect checks for applicants that have resided in New Mexico in the past 5 years. The request must be sent by the state agency.**

- c. Does your State/Territory have a law or policy that prevents a response to CCDF interstate background check requests from other States/Territories/Tribes?

☐ Yes. If yes, describe the current policy.

☒ No.

5.7.15 Consumer education website links to interstate background check processes

Lead Agencies must include on their consumer education website and the website of local Lead Agencies if the CCDF program is county-run, the policies and procedures related to comprehensive

background checks. This includes the process by which a child care provider or other State or Territory may submit a background check request.

- a. Provide the direct URL/website link that contains instructions on how child care providers and other States and Territories should initiate background check requests for prospective and current child care staff members: **<https://www.nmececd.org/comprehensive-background-check-process/>**

Check to certify that the required elements are included on the Lead Agency's consumer and provider education website for each interstate background check component.

- b. Interstate criminal background check:

- i. ☒ Agency name
- ii. ☒ Address
- iii. ☒ Phone number
- iv. ☒ Email
- v. ☒ Website
- vi. ☒ Instructions
- vii. ☒ Forms
- viii. ☒ Fees
- ix. ☒ Is the State a National Fingerprint File (NFF) State?
- x. ☒ Is the State a National Crime Prevention and Privacy Compact State?
- xi. If not all boxes above are checked, describe:

- c. Interstate sex offender registry (SOR) check:

- i. ☒ Agency name
- ii. ☒ Address
- iii. ☒ Phone number
- iv. ☒ Email
- v. ☒ Website
- vi. ☒ Instructions
- vii. ☒ Forms
- viii. ☒ Fees
- ix. If not all boxes above are checked, describe:

- d. Interstate child abuse and neglect (CAN) registry check:

- i. ☒ Agency name
- ii. ☒ Is the CAN check conducted through a county administered registry or centralized registry?
- iii. ☒ Address

- iv. ☒ Phone number
- v. ☒ Email
- vi. ☒ Website
- vii. ☒ Instructions
- viii. ☒ Forms
- ix. ☒ Fees
- x. If not all boxes above are checked, describe:

5.7.16 Background check fees

The Lead Agency must ensure that fees charged for completing the background checks do not exceed the actual cost of processing and administration.

Does the Lead Agency certify that background check fees do not exceed the actual cost of processing and administering the background checks?

☒ Yes.

☐ No. If no, describe what is currently in place and what elements still need to be implemented:

5.7.17 Renewal of the comprehensive background check

Does the Lead Agency conduct the background check at least every 5 years for all components?

☒ Yes.

☐ No. If no, what is the frequency for renewing each component?

5.8 Exemptions for Relative Providers

Lead Agencies may exempt relatives (defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles) from certain health and safety requirements. This exception applies only if the individual cares only for relative children.

5.8.1 Exemptions for relative providers

Does the Lead Agency exempt any federally defined relative providers from licensing requirements, the CCDF health and safety standards, preservice/orientation training, ongoing training, inspections, or background checks?

☒ No.

☐ Yes. If yes, which type of relatives do you exempt, and from what requirements (licensing requirements, CCDF health and safety standards, preservice/orientation training, ongoing training, inspections, and/or background checks) do you exempt them?

6 Support for a Skilled, Qualified, and Compensated Child Care Workforce

A skilled child care workforce with adequate wages and benefits underpins a stable high-quality child care system that is accessible and reliable for working parents and that meets their needs

and promotes equal access. Positive interactions between children and caregivers provide the cornerstone of quality child care experiences. Responsive caregiving and rich interactions support healthy socio-emotional, cognitive, and physical development in children. Strategies that successfully support the child care workforce address key challenges, including low wages, poor benefits, and difficult job conditions. Lead Agencies can help mitigate some of these challenges through various CCDF policies, including through ongoing professional development and supports for all provider types and embedded in the payment policies and practices covered in Section 4. Lead Agencies must have a framework for training, professional development, and post-secondary education. They must also incorporate health and safety training into their professional development. Lead Agencies should also implement policies that focus on improving wages and access to benefits for the child care workforce. When implemented as a cohesive approach, the initiatives support the recruitment and retention of a qualified and effective child care workforce, and improve opportunities for caregivers, teachers, and directors to advance on their progression of training, professional development, and postsecondary education.

This section addresses Lead Agency efforts to support the child care workforce, the components and implementation of the professional development framework, and early learning and developmental guidelines.

6.1 Supporting the Child Care Workforce

Lead Agencies have broad flexibility to implement policies and practices to support the child care workforce.

6.1.1 Strategies to improve recruitment, retention, compensation, and well-being

- a. Identify any Lead Agency activities related to strengthening workforce recruitment and retention of child care providers. Check all that apply:
 - i. ☐ Providing program-level grants to support investments in staff compensation.
 - ii. ☒ Providing bonuses or stipends paid directly to staff, like sign-on or retention bonuses.
 - iii. ☐ Connecting family child care providers and center-based child care staff to health insurance or supporting premiums in the Marketplace.
 - iv. ☐ Subsidizing family child care provider and center-based child care staff retirement benefits.
 - v. ☐ Providing paid sick, personal, and parental leave for family child care providers and center-based child care staff.
 - vi. ☐ Providing student loan debt relief or loan repayment for family child care providers and center-based child care staff.
 - vii. ☒ Providing scholarships or tuition support for center-based child care staff and family child care providers.
 - viii. ☒ Other. Describe: **ECECD has implemented additional strategies to address recruitment, retention, compensation, and well-being other than the strategies listed in the plan. The following strategies have been used by ECECD to support the early childhood workforce. Recruitment: ECECD implemented the Developing**

Futures campaign in August 2022 to improve recruitment and address New Mexico's workforce shortage of early childhood professionals. Developing Futures highlights the various career paths within early childhood education by sharing real-life stories of New Mexican men and women currently in those roles. The campaign includes a website, a wide-spread advertising on social media, billboards, television commercials featuring early childhood education educators, and online ads. Additionally, in April 2024, ECECD expanded the Developing Futures Campaign to include a personalized career quiz which allows individuals who are interested in the field of early childhood to explore their options, and expanded the website to feature new professional profiles, and a commercial featuring New Mexico PreK student and a game show theme. As a future plan for recruitment, ECECD is researching how we will approach registered apprenticeships. ECECD is engaging in a partnership with New Mexico's Department of Workforce Solutions to create a "pre-apprenticeship" program for early childhood in New Mexico. The plan is to create opportunities for 2-3 apprentices in 6 ECECD identified child care programs. Retention: To address retention, ECECD funds three mentor networks through a contract with Central New Mexico Community College. The networks support early childhood professionals with opportunities to engage in reflective practice with other colleagues in the field. Through an application process, an individual can become a mentor or request a mentor. The three mentor networks are an Infant Toddler Teacher Network, an Early Childhood Director Network, and an Early Childhood Home-Based Provider Network. Currently, 70 individuals are receiving mentorship and there are 79 mentors available.

- b. Describe any Lead Agency ongoing efforts and future plans to assess and improve the compensation of the child care workforce in the State or Territory, including increasing wages, bonuses, and stipends. ECECD has identified ongoing efforts and future plans to assess and improve the compensation of the early childhood workforce, including increasing wages which are outlined in its 2022-2027 Strategic Plan. Under the School Readiness Goal, there is an objective to "Ensure all early childhood professionals are supported by a fully implemented equitable career and compensation system." The current and ongoing efforts to help realize this goal include the following: using an alternative methodology approach to inform state child care subsidy rates; the methodology includes assumptions about wages paid to staff and increases wages as a program's quality increases. Additionally, New Mexico has an Early Childhood Professionals subcommittee to the Early Childhood Advisory Council. This Subcommittee is tasked with developing recommendations on recruitment, retention, career and compensation lattice, improving credentials, licensure, and teacher preparation. Currently, the subcommittee is reviewing ECECD's proposed implementation of the Infant and Toddler pay parity that will provide funding to close the wage gap between infant and toddler educators and PreK educators. Future subcommittee work includes providing consultation with the development and implementation of a career lattice and salary scale that accounts for education and years of experience. Through a contract with Central New Mexico Community College's Ingenuity program (CNM-I), ECECD provides PreK pay parity to early childhood teachers and directors who work in Head Start programs including Tribal Head Start, as well as in community-based or tribal state-funded PreK programs. This opportunity is designed to recognize the credentials and experience of early

childhood educators and provide comparable salary to early childhood teachers working in a public-school setting. CNM-I also administers ECECD's Wage Supplement Program that provides education-based supplemental wages to early childhood professionals who work with children from birth to age five. The program is education-based and includes ten incremental levels; the more education one attains, the more supplement one can receive. The program is designed to ensure that no educator that meets the criteria earns less than \$18/hour.

- c. Describe any Lead Agency ongoing efforts and future plans to expand access to benefits, including health insurance, paid sick, personal, and parental leave, and retirement benefits. **The ECECD 2022-2027 Strategic Plan has a goal focused on strengthening the early childhood ecosystem and one of the objectives is "to partner with New Mexico health care agencies to support early childhood professionals in accessing publicly supported health care coverage."** The current efforts to help realize this goal include using an alternative methodology approach to inform state child care subsidy rates; the methodology includes a \$6,000 per employee for health and/or retirement benefits. ECECD will partner with the New Mexico Health Care Authority to assess how it may support a system of coverage for early childhood education professionals that include strategies such as using the Healthcare Exchange, Medicaid, and a High-Risk Insurance pool to identify and enroll eligible individuals.

- d. Describe any Lead Agency ongoing efforts and future plans to support the mental health and well-being of the child care workforce. **ECECD is committed to supporting the mental health and well-being of the child care workforce. ECECD makes multiple trainings available via its Quorum professional development platform that address wellbeing and mental health. In addition, in 2023, ECECD launched an Infant Early Childhood Mental Health Consultation (i.e., the Social Emotional and Early Development (SEED) program) which is aimed to help support adults in order to help children. The SEED program supports the mental health and well-being of the workforce through pairing educators with a licensed or license-eligible behavioral health practitioner to help address key behavioral health skills in the classroom or family child care home - from trauma-responsive caregiving to self-regulation skills. In addition, through the FOCUS QRIS redesign, ECECD is examining how to better build support for the well-being of the child care workforce into its consultation processes and standards.**

- e. Describe any other strategies the Lead Agency is developing and/or implementing to support providers' recruitment and retention of the child care workforce. **ECECD engaged the Early Childhood Professionals subcommittee of the Early Childhood Advisory Council who provided recommendations on recruitment and retention In their Year One Report to the Governor which includes the development or implementation of the following: * A marketing campaign to attract new individuals into the Early Childhood industry. *A streamlined hiring and onboarding process for new hires that includes a competitive wage. *Professional development opportunities or benefits to retain employees. ECECD has partnered with a local data science company to create a Professional Development Information System (PDIS) which will serve as the state's workforce registry, as well as a central place to house professional development transcripts, degrees, and certificates. This will support recruitment and retention by linking content about career pathways and**

scholarships, pay parity, and wage supplements, and by helping individuals in the field set goals, and visualize their progress toward those goals in one place, even if they change their employment. ECECD has developed a Career Pathways document which was released January 6, 2022. The document outlines the pathways that exist for early childhood educators who want to advance their credentials or for those wanting to enter the field. ECECD is updating the Guide on a frequency to ensure all Institutes of Higher Education offering early childhood coursework, certificate pathways, or degrees are represented accordingly.

6.1.2 Strategies to support provider business practices

- a. Describe other strategies that the Lead Agency is developing and/or implementing to strengthen child care providers' business management and administrative practices. **Other strategies that ECECD is implementing to strengthen child care providers' business management and administrative practices include implementing "Strengthening Business Practices," a 4-part training series offered through the state's training system, New Mexico Early Learning System. In addition, beginning in 2024 ECECD partnered with Women's Economic Self-Sufficiency Team (WESST), a local CDFI and business development agency who administers business development grants and coaching through CRECER, which stands for Capacity Resources for Enhancing Care, Excellence, and Resilience and is the Spanish word for "to grow." The CRECER program administers grants to family child care home and child care centers and provides business coaching related to taxes, budgeting, and other key competencies related to operating a child care business.**
- b. Check the topics addressed in the Lead Agency's strategies for strengthening child care providers' administrative business practices. Check all that apply:
 - i. ☒ Fiscal management.
 - ii. ☒ Budgeting.
 - iii. ☒ Recordkeeping.
 - iv. ☐ Hiring, developing, and retaining qualified staff.
 - v. ☐ Risk management.
 - vi. ☐ Community relationships.
 - vii. ☐ Marketing and public relations.
 - viii. ☐ Parent-provider communications.
 - ix. ☒ Use of technology in business administration.
 - x. ☐ Compliance with employment and labor laws.
 - xi. ☐ Other. Describe any other efforts to strengthen providers' administrative business:

6.1.3 Strategies to support provider participation

Lead Agencies must facilitate participation of child care providers and staff with limited English proficiency and disabilities in the child care subsidy system. Describe how the Lead Agency will

facilitate this participation, including engagement with providers to identify barriers and specific strategies used to support their participation:

- a. Providers and staff with limited English proficiency: **ECECD uses multiple strategies to ensure the participation of child care providers and staff with limited English proficiency. ECECD employs child care assistance and regulatory staff are bilingual in order provides professional development in English and Spanish and is developing its workforce registry, the Professional Development Information System, in both English and Spanish. In addition, ECECD facilitates participation of child care providers and staff with limited English proficiency by inviting providers whose first language is not English to participate in community dialogue through simultaneous translation as part of its monthly community calls and in-person feedback sessions. In addition, ECECD works with community organizations to understand and meet the needs of providers with limited English proficiency. and utilizing community advocates and local coalitions to facilitate communication and support.**
- b. Providers and staff who have disabilities: **ECECD facilitates participation of child care providers and staff who have disabilities by recruiting providers from the community, and utilizing community advocates and local coalitions to support the needs of child care providers who may have a disability. ECECD also ensures compliance with the American's with Disabilities Act.**

6.2 Professional Development Framework

A Lead Agency must have a professional development framework for training, professional development, and post-secondary education for caregivers, teachers, and directors in child care programs that serve children of all ages. The framework must include these components:

(1) professional standards and competencies, (2) career pathways, (3) advisory structures, (4) articulation, (5) workforce information, and (6) financing. CCDF provides Lead Agencies flexibility on the strategies, breadth, and depth of the framework. The professional development framework must be developed in consultation with the State Advisory Council on Early Childhood Education and Care or a similar coordinating body.

6.2.1 Updates and consultation

- a. Did the Lead Agency make any updates to the professional development framework since the FFY 2022-2024 CCDF Plan was submitted?

☒ Yes. If yes, describe the elements of the framework that were updated and describe if and how the State Advisory Council on Early Childhood Education and Care (if applicable) or similar coordinating body was consulted: **ECECD updated the advisory structure of the professional development framework by establishing a subcommittee for the Early Childhood Education and Care Advisory Council specific to Early Childhood Professionals. The Advisory Council were actively involved in creating the structure for the subcommittees, and individuals from within the council chair the subcommittees.**

☐ No.
- b. Did the Lead Agency consult with other key groups in the development of their professional development framework?

☐ Yes. If yes, identify the other key groups:

☒ No.

6.2.2 Description of the professional development framework

- a. Describe how the Lead Agency's framework for training and professional development addresses the following required elements:
- i. Professional standards and competencies. For example, Lead Agencies can include information about which roles in early childhood education are included (such as teachers, directors, infant and toddler specialists, mental health consultants, coaches, licensors, QIS assessors, family service workers, home visitors). **New Mexico's early childhood professional development system utilizes the Common Core Content and Competencies to guide training selection or creation and is used by the higher education system to guide coursework. These competencies includes seven standards and competencies for early childhood practitioners. The competencies were developed by the NM Higher Education Taskforce in 2002 and revised in 2011. The competencies describe what all early childhood professionals must know and be able to do, including: (1) Child Growth Development & Learning; (2) Health, Safety and Nutrition; (3) Family and Community Collaboration; (4) Assessment of Children and Evaluation of Programs; (5) Developmentally Appropriate Content; (6) Learning Environment and Curriculum Implementation; and (7) Professionalism. when they complete each level of the career pathway. This includes the entry level, a professional certificate/associate degree level, and a bachelor's degree level for each defined early childhood degree pathway. At each level, content is based on the same set of competencies, but the indicators of competence represent increasing depth and breadth at each ascending level.**
 - ii. Career pathways. For example, Lead Agencies can include information about professional development registries, career ladders, and levels. **ECECD released a professional development career pathway guide, which outlines steps, options, and financial supports for continuing education to better prepare individuals for multiple career options in early childhood. Using a lattice development progression that covers six levels of educational courses – 45-Hour Entry Level Course, New Mexico Child Development Certificate, an Early Childhood Professional Certificate, Associate Degree, Bachelor's Degree, and Master's Degree – the guide will help individuals interested in a career in early childhood understand the opportunities and supports available across the state. The career pathway guide also includes information on the 18 higher education institutions across New Mexico that provide early childhood preparation.**
 - iii. Advisory structure. For example, Lead Agencies can include information about how the professional development advisory structure interacts with the State Advisory Council on Early Childhood Education and Care. **ECECD engages the Early Childhood Education and Care Advisory Council and the Early Childhood Professionals subcommittee to inform the framework for professional development. The Advisory Council is tasked to: (a) develop outcomes for children and families receiving services through early childhood programs; (b) develop**

goals and objectives with corresponding indicators that measure whether each of those objectives is reached; and (c) develop a workforce plan to include a career ladder, wage structure, and professional development plan that applies to the full continuum of programs. The Council is comprised of 41 individuals who were selected from across the state, and they include early childhood care providers, health professionals, workforce development professionals, higher education experts to fully represent New Mexico's ethnic, geographic, and cultural diversity. ECECD also engages an Early Childhood Higher Education Task Force which provides recommendations for the professional development and higher education for early childhood professionals.

- iv. Articulation. For example, Lead Agencies can include information about articulation agreements, and collaborative agreements that support progress in degree acquisition. **New Mexico has an articulation agreement and common course numbering across all two and four-year institutions of higher education that offer early childhood education degree programs. This allows educators to seamlessly transfer between institutions and courses articulate from associate to bachelor's degrees and beyond. Unified syllabi and coursework are made available through an agreed upon manual created through the state's Early Childhood Higher Education Task Force in New Mexico's Universal Catalogue of Courses for Early Care, Education, and Family Support. The Early Childhood Higher Education Task force meets through the fall and spring semesters to approve upon this agreement and further align programs.**
- v. Workforce information. For example, Lead Agencies can include information about workforce demographics, educator well-being, retention/turnover surveys, actual wage scales, and/or access to benefits. **ECECD is developing a Professional Development Information System (PDIS) to serve as its workforce registry for all early childhood professionals. This system will launch in December 2024 and allow New Mexico to report on workforce demographics, retention, wages and benefits, among other information necessary to better support the workforce.**
- vi. Financing. For example, Lead Agencies can include information about strategies including scholarships, apprenticeships, wage enhancements, etc. **ECECD employs multiple strategies including scholarships and wage enhancements to support the early childhood workforce. ECECD provides scholarships for associate's through doctoral degrees to current early childhood educators and other key professions within the early childhood field. ECECD also offers pay parity for state PreK and Head Start educators and will extend this pay parity to infant and toddler educators in summer 2024. All early childhood educators who meet requirements can also access the state's wage supplement program if they make less than \$15/hour to supplement their pay.**

b. Does the Lead Agency use additional elements?

☒ Yes.

If yes, describe the element(s). Check all that apply.

- i. ☒ Continuing education unit trainings and credit-bearing professional development. Describe: **ECECD uses Quorum and the Child Development**

Certificate as continuing education unit trainings and credit-bearing professional development.

- ii. ☐ Engagement of training and professional development providers, including higher education, in aligning training and educational opportunities with the Lead Agency's framework. Describe:
- iii. ☐ Other. Describe:
- ☐ No.

6.2.3 Impact of the Professional Development Framework

Describe how the framework improves the quality, diversity, stability, and retention of caregivers, teachers, and directors and identify what data are available to assess the impact.

- a. Professional standards and competencies. For example, do the professional standards and competencies reflect the diversity of providers across role, child care setting, or age of children served? **The state's professional standards and competencies, the Common Core Content for Early Childhood Educators, articulate what early childhood educators know and should be able to do in order to support children's learning and development. These are designed to support providers across settings and age groups. All higher education programs, as well as ongoing training, are aligned to these competencies. ECECD will work with higher education institutions to revise these competencies in 2024 and roll out and assess the impact of new competencies beginning in 2025.**
- b. Career pathways. For example, has the Lead Agency developed a wage ladder that provides progressively higher wages as early educators gain more experience and credentials? What types of child care settings and staff roles are addressed in career pathways, such as licensed centers and family child care homes? **ECECD has developed a career pathway to document the possible career pathways in the state and addresses home visitors, early interventionists, child care providers in homes and centers, and early childhood educators in public schools. ECECD will develop a wage ladder in 2025 that is aligned with these professions and considers education and experience.**
- c. Advisory structure. For example, has the advisory structure identified goals for child care workforce compensation, including types of staff and target compensation levels? Does the Lead Agency have a Preschool Development Birth-to-Five grant and is part of its scope of work child care compensation activities? Are they represented in the advisory structure? **The Early Care and Education Advisory Council and its Early Childhood Professionals subcommittee inform the framework for workforce compensation. ECECD has a Preschool Development Birth-to-Five grant that supports the work of the Council and the Subcommittees and the development of the Professional Development Information System which will support the wage and career ladder.**
- d. Articulation. For example, how does the advisory structure include training and professional development for providers, including higher education, to assist in aligning training and education opportunities? **New Mexico has a longstanding history of strong articulation agreements across higher education, articulated primarily through centering all coursework on the Common Core Content for Early Childhood Educators. ECECD has**

representation from providers and higher education on the Early Childhood Professionals subcommittee to inform the ongoing improvement of this work.

- e. Workforce information. For example, does the Lead Agency have data on the existing wages and benefits available to the child care workforce? Do any partners such as the Quality Improvement System, child care resource and referral agencies, Bureau of Labor Statistics, and universities and research organizations collect compensation and benefits data? Does the Lead Agency monitor child care workforce wages and access to benefits through ongoing data collection and evaluation? Can the data identify any disparities in the existing compensation and benefits (by geography, role, child care setting, race, ethnicity, gender, or age of children served)? **ECECD has limited data on the compensation and benefits of staff, as well as other demographic information. ECECD has collected data primarily through its compensation efforts but is currently building a Professional Development Information System (PDIS) to collect information on the early childhood workforce.**
- f. Financing. For example, has the Lead Agency set a minimum or living wage as a floor for all child care staff? Do Lead Agency-provider subsidy agreements contain requirements for staff compensation levels? Do Lead Agencies provide program-level compensation grants to support staff base salaries and benefits? Does the Lead Agency administer bonuses or stipends directly to workers? **ECECD uses an Alternative Methodology approach to setting child care assistance reimbursement rates. This Alternative Methodology includes an assumed base compensation level that increases as quality levels increase. ECECD provides wage supplements to ensure all qualifying early childhood educator make a wage of \$15/hour.**

6.3 Ongoing Training and Professional Development

6.3.1 Required hours of ongoing training

Provide the number of hours of ongoing training required annually for CCDF-eligible providers in the following settings:

- a. Licensed child care centers: **24 hours**
- b. License-exempt child care centers: **N/A**
- c. Licensed family child care homes: **12 hours**
- d. License-exempt family child care homes: **6 hours**
- e. Regulated or registered in-home child care: **6 hours**
- f. Non-regulated or registered in-home child care: **N/A**

6.3.2 Accessibility of professional development for Tribal organizations

Describe how the Lead Agency's training and professional development are accessible to providers supported through Indian tribes or Tribal organizations receiving CCDF funds (as applicable). **ECECD's training and professional development are made accessible to all providers, including those from tribes or Tribal organizations receiving CCDF funds. This includes training through NMELS and Quorum.**

6.3.3 Professional development appropriate for the diversity of children, families, and child care providers

Describe how the Lead Agency's training and professional development requirements reflect the diversity of children, families, and child care providers participating in CCDF. To the extent practicable, how does professional development include specialized training or credentials for providers who care for infants or school-age children; individuals with limited English proficiency; children who are bilingual; children with developmental delays or disabilities; and/or Native Americans, including Indians, as the term is defined in Section 900.6 in subpart B of the Indian Self-Determination and Education Assistance Act (including Alaska Natives) and Native Hawaiians? **ECECD's training and professional development requirements reflect the diversity of children, families, and child care providers participating in CCDF. ECECD's training is primarily developed through the New Mexico Early Learning System (NMELS) and the Quorum online training platform. ECECD makes a wide variety of trainings to address children of different ages, for example, ECECD offers the CDA for infants and toddlers and a variety of infant and toddler-focused trainings. ECECD's training and professional development also includes supporting multi-language learners, children with developmental delays and disabilities, and culturally appropriate practices.**

6.3.4 Child developmental screening

Describe how all providers receive, through training and professional development, information about: (1) existing resources and services the State/Territory can make available in conducting developmental screenings and providing referrals to services when appropriate for children who receive assistance under this part, including the coordinated use of the Early and Periodic Screening, Diagnosis, and Treatment program (42 U.S.C. 1396 et seq.) and developmental screening services available under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.); and (2) how child care providers may utilize these resources and services to obtain developmental screenings for children who receive assistance and who may be at risk for cognitive or other developmental delays, which may include social, emotional, physical, or linguistic delays: **Providers receive information and support regarding child developmental screenings through ECECD's Family Infant Toddler (FIT) program, which provides early intervention services (i.e., Part C) for children birth to age three who are at risk or have a developmental delay. FIT agencies are responsible for disseminating information on the program to local child care providers, among other partners to inform providers about utilizing existing resources and services to support children and families. Outreach plans are reviewed and approved by ECECD. Outreach plans include free developmental screening to children during community events As part of the FIT process, providers, along with parents, can refer children for developmental evaluation. Children referred to the FIT program receive a comprehensive developmental evaluation that includes five developmental domains along with vision and hearing screenings. The state's Medicaid agency is responsible for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program outreach and regularly informs families about how to access EPSDT services.**

6.4 Early Learning and Developmental Guidelines

Lead Agencies must develop, maintain, or implement early learning and developmental guidelines appropriate for children from birth to kindergarten entry. Early learning and developmental guidelines should describe what children should know and be able to do at different ages and

cover the essential domains of early childhood development, which at a minimum includes cognition, including language arts and mathematics; social, emotional, and physical development; and approaches toward learning.

6.4.1 Early learning and developmental guidelines

- a. Check the boxes below to certify the Lead Agency's early learning and developmental guidelines are:
 - i. ☒ Research-based.
 - ii. ☒ Developmentally appropriate.
 - iii. ☒ Culturally and linguistically appropriate.
 - iv. ☒ Aligned with kindergarten entry.
 - v. ☒ Appropriate for all children from birth to kindergarten entry.
 - vi. ☒ Implemented in consultation with the educational agency and the State Advisory Council on Early Childhood Education and Care or similar coordinating body.
 - vii. If any components above are not checked, describe:
- b. Check the boxes below to certify that the required domains are included in the Lead Agency's early learning and developmental guidelines.
 - i. ☒ Cognition, including language arts and mathematics.
 - ii. ☒ Social development.
 - iii. ☒ Emotional development.
 - iv. ☒ Physical development.
 - v. ☒ Approaches toward learning.
 - vi. ☐ Other optional domains. Describe any optional domains:
 - vii. If any components above are not checked, describe:
- c. When were the Lead Agency's early learning and developmental guidelines most recently updated and for what reason? **The New Mexico Early Learning Guidelines were last updated in 2014 and will be updated in 2025 to reflect updates to understanding of how young children develop and learn, as well as will be revised to be Early Learning Standards.**
- d. Provide the Web link to the Lead Agency's early learning and developmental guidelines.
https://www.newmexicokids.org/wp-content/uploads/2021/06/Early_Learning_Guidelines_Birth_thru_Kindergarten_July_2014-2-1.pdf

6.4.2 Use of early learning and developmental guidelines

- a. Describe how the Lead Agency uses its early learning and developmental guidelines.
ECECD uses early learning and development guidelines to train early childhood educators and provide the basis for programs to select curriculum and assessment.
- b. Check the boxes below to certify that CCDF funds are not used to develop or implement

an assessment for children that:

- i. **[x]** Will be the primary or sole basis to determine a child care provider ineligible to participate in the CCDF.
- ii. **[x]** Will be used as the primary or sole basis to provide a reward or sanction for an individual provider.
- iii. **[x]** Will be used as the primary or sole method for assessing program effectiveness.
- iv. **[x]** Will be used to deny children eligibility to participate in CCDF.
- v. If any components above are not checked, describe:

7 Quality Improvement Activities

The quality of child care directly affects children’s safety and healthy development while in care settings, and high-quality child care can be foundational across the lifespan. Lead Agencies may use CCDF for quality improvement activities for all children in care, not just those receiving child care subsidies. OCC will collect the most detailed Lead Agency information about quality improvement activities in annual reports instead of this Plan.

Lead Agencies must report on CCDF child care quality improvement investments in three ways:

- 1. In this Plan, Lead Agencies will describe the types of activities supported by quality investments over the 3-year period.
- 2. An annual expenditure report (the ACF-696). Lead Agencies will provide data on how much CCDF funding is spent on quality activities. This report will be used to determine compliance with the required quality and infant and toddler spending requirements.
- 3. An annual Quality Progress Report (the ACF-218). Lead Agencies will provide a description of activities funded by quality expenditures, the measures used to evaluate its progress in improving the quality of child care programs and services within the State/Territory, and progress or barriers encountered on those measures.

In this section of the Plan, Lead Agencies will describe their quality activities needs assessment and identify the types of quality improvement activities where CCDF investments are being made using quality set-aside funds.

7.1 Quality Activities Needs Assessment

7.1.1 Needs assessment process and findings

- a. Describe the Lead Agency needs assessment process for expending CCDF funds on activities to improve the quality of child care, including the frequency of assessment, how a diverse range of parents and providers were consulted, and how their views are incorporated: **ECECD uses a variety of methods to collect input to understand needs related to improving the quality of child care. This work primarily occurs through the**

current redesign of the state’s quality rating and improvement system (QRIS), known as FOCUS. Through FOCUS redesign the state has gathered existing data about families’ preferences through the Child Care Resource and Referral system, held focus groups with providers from a variety of settings and quality improvement specialists to gather insights about the current system, conducted outreach to accreditation providers, and conducted a statewide survey for families, providers, and other key partners about what quality elements and supports are essential. This redesign will help inform where the state spends CCDF and state funds on activities to improve the quality of child care.

- b. Describe the findings of the assessment, including any findings related to needs of different populations and types of providers, and if any overarching goals for quality improvement were identified: **ECECD is in process of collecting and analyzing findings and will update the state plan to reflect these findings after analysis and further outreach is complete.**

7.2 Use of Quality Set-Aside Funds

Lead Agencies must use a portion of their CCDF expenditures for activities designed to improve the quality of child care services and to increase parental options for and access to high-quality child care. They must use the quality set-aside funds on at least one of 10 activities described in CCDF and the quality activities must be aligned with a Statewide or Territory-wide assessment of the State's or Territory’s need to carry out such services and care.

7.2.1 Quality improvement activities

- a. Describe how the Lead Agency will make its Quality Progress Report (ACF – 218) and expenditure reports, available to the public. Provide a link if available. **ECECD will make the Quality Progress Report (QPR), and expenditure reports available to the public on our website once the reports are approved by the Office of Child Care. ECECD has the QPR report posted on the website at Quality Progress Report FFY2023 (nmececd.org).**
- b. Identify Lead Agency plans, if any, to spend CCDF funds for each of the following quality improvement activities. If an activity is checked “yes”, describe the Lead Agency’s current and/or future plans for this activity.
 - i. Supporting the training and professional development of the child care workforce, including birth to five and school-age providers.
 - ☐ No plans to spend in this category of activities at this time.
 - ☒ Yes. If yes, describe current and future investments. **ECECD supports the training and professional development of the child care workforce through a contract with the University of New Mexico’s Early Childhood Service Center in the development of the New Mexico Early Learning System (NMELS) and through its online training platform, Quorum. Professional development opportunities in NMELS provide training and licensure requirements for all individuals in a recognized setting for children birth through age twelve. Professional development courses offered through NMELS and Quorum meet the New Mexico Core Competency Areas for Early Care. Additionally, ECECD has partnered with Quorum, an online professional development platform to offer over 200 hours of courses at no cost to New Mexico’s early childhood workforce. Courses are**

available in English and Spanish, and it is on this platform that educators can complete all CCDF required Health and Safety training.

- ii. Developing, maintaining, or implementing early learning and developmental guidelines.

☒ No plans to spend in this category of activities at this time.

☐ Yes. If yes, describe current and future investments.

- iii. Developing, implementing, or enhancing a quality improvement system.

☐ No plans to spend in this category of activities at this time.

☒ Yes. If yes, describe current and future investments. **ECECD uses funding to support developing implementing and enhancing a quality improvement system. ECECD currently spends and plans to maintain a contract with the University of New Mexico (UNM) to provide a framework for consultation and coaching for FOCUS which serves as the Quality Rating and Improvement System (QRIS). The UNM contract also includes staff who conduct the QRIS initial and annual verifications. ECECD also supports the QRIS by spending funds to provide Planning Time Grants for child care centers. The purpose of these grants are to support the QRIS requirement of two hours per week for planning time for classroom educators. Differential Rates: ECECD pays a differential rate to providers achieving higher Star levels by meeting FOCUS essential elements of quality. The QRIS is directly tied to differential rates as programs progress through Star-Levels.**

- iv. Improving the supply and quality of child care services for infants and toddlers.

☐ No plans to spend in this category of activities at this time.

☒ Yes. If yes, describe current and future investments. **Infant and Toddler Contracted Slots: ECECD will implement contracted slots for infant and toddler care beginning in fall 2024 to increase access and quality to infant and toddler care for families and communities by providing predictable funding and supports for programs to expand infant and toddler care for children in Child Care Assistance. 2 Plus- through 5-star Differential for Infant and Toddler Care: ECECD reimburses 2 Plus- through 5-star child care providers with a differential rate through Alternative Methodology that is intended to improve equal access to high-quality infant and toddler care by making it affordable for families, and covering the costs incurred by child care providers to offer higher quality care to infants and toddlers.**

- v. Establishing or expanding a statewide system of CCR&R services.

☐ No plans to spend in this category of activities at this time.

☒ Yes. If yes, describe current and future investments. **ECECD contracts with the University of New Mexico (UNM) to host the state's Child Care Resource and Referral system. UNM has created a web site and a phone number with a staffed help line to assist families looking for resources, child care programs and services for young children in New Mexico.**

- vi. Facilitating compliance with Lead Agency child care licensing, monitoring, inspection and health and safety standards.

☐ No plans to spend in this category of activities at this time.

☒ Yes. If yes, describe current and future investments. **ECECD has partnered with Quorum, an online professional development platform to offer the required CCDF Health and Safety training courses at no cost to New Mexico's early childhood workforce. Courses are available in English and Spanish and meet each of the 11 topic areas required by CCDF.**

- vii. Evaluating and assessing the quality and effectiveness of child care services within the State/Territory.

☐ No plans to spend in this category of activities at this time.

☒ Yes. If yes, describe current and future investments. **ECECD evaluates and assesses the quality and effectiveness of child care services in New Mexico through the Quality Rating and Improvement System (QRIS), FOCUS. Through a contract with the University of New Mexico, consultants provide coaching and technical assistance. As child care programs move through Star-Levels, a FOCUS Verification Tool is used to measure program quality through ten Essential Elements including: 1) Authentic Observation, Documentation, and Curriculum Planning, 2) Family Engagement, 3) Inclusion Practices for Children with Developmental Delays or Disabilities, 4) Culture and Language Including the Support of Dual Language Learners, 5) Promoting Social Relationships, 6) Health Promotion and Developmental Screenings 7) Professional Qualifications 8) Ratios and Group Size, 9) Environments, and 10) Program Administration and Leadership. This also includes reviews of the program's plan for continuous quality improvement.**

- viii. Accreditation support.

☒ No plans to spend in this category of activities at this time.

☐ Yes. If yes, describe current and future investments.

- ix. Supporting State/Territory or local efforts to develop high-quality program standards relating to health, mental health, nutrition, physical activity, and physical development.

☒ No plans to spend in this category of activities at this time.

☐ Yes. If yes, describe current and future investments.

- x. Other activities determined by the Lead Agency to improve the quality of child care services and the measurement of outcomes related to improved provider preparedness, child safety, child well-being, or kindergarten entry.

☒ No plans to spend in this category of activities at this time.

☐ Yes. If yes, describe current and future investments.

8 Lead Agency Coordination and Partnerships to Support Service Delivery

Coordination and partnerships help ensure that the Lead Agency's efforts accomplish CCDF goals effectively, leverage other resources, and avoid duplication of effort. Such coordination and partnerships can help families better access child care, can assist in providing consumer education

to parents, and can be used to improve child care quality and the stability of child care providers. Such coordination can also be particularly helpful in the aftermath of disasters when the provision of emergency child care services and the rebuilding and restoring of child care infrastructure are an essential part of ensuring the well-being of children and families in recovering communities.

This section identifies who the Lead Agency collaborates with to implement services, how match and maintenance-of-effort (MOE) funds are used, coordination with child care resource and referral (CCR&R) systems, and efforts for disaster preparedness and response plans to support continuity of operations in response to emergencies.

8.1 Coordination with Partners to Expand Accessibility and Continuity of Care

Lead Agencies must coordinate child care services supported by CCDF with other federal, State/Territory, and local level programs. This includes programs for the benefit of Indian children, infants and toddlers, children with disabilities, children experiencing homelessness, and children in foster care.

8.1.1 Coordination with required and optional partners

Describe how the Lead Agency coordinates and the results of this coordination of the provision of child care services with the organizations and agencies to expand accessibility and continuity of care and to assist children enrolled in early childhood programs in receiving full-day services that meet the needs of working families.

The Lead Agency must coordinate with the following agencies:

- a. State Advisory Council on Early Childhood Education and Care or similar coordinating body (pursuant to 642B(b)(1)(A)(i) of the Head Start Act). Describe the coordination and results of the coordination: **The State Advisory Council on Early Childhood Education and Care in New Mexico is called the Early Childhood Education and Care Advisory Council (ECECAC). This 23-member body was established through Executive Order in Dec. 2022. The ECECAC meets six times a year and has four subcommittees that include Council and non-Council members. These subcommittees are: Early Childhood Professionals, Program Quality and Accountability, Data Visualization and Analysis, and Public Private Partnerships. The ECECAC is focused on improving the supply of child care in New Mexico, specifically infant and toddler care and non-traditional hour care, improving the credentials and compensation of early childhood professionals through the development and implementation of a wage and career ladder, redesigning the state's quality rating and improvement system to improve outcomes for young children, and strengthening the capacity of agencies across the prenatal to five system through robust public and private partnership. The ECECAC meeting on Oct. 4, 2023, included a review of the 2025-2027 CCDF Preprint. Members of the ECECAC had an opportunity to ask questions and provide input on the process for developing the state plan. The Oct. meeting also included a discussion of the cost alternative methodology. The ECECAC voted in Oct. 2023 to continue using alternative methodology for rate setting.**
- b. Indian Tribe(s) and/or Tribal organization(s), at the option of the Tribe or Tribal organization. Describe the coordination and results of the coordination, including which Tribe(s) was (were) involved: **ECECD's Assistant Secretary for Native American Early Childhood Education and Care and the ECECD CCDF co-administrator meet quarterly with the 15 Tribal CCDF grantees to share resources, problem solve issues, and collaborate on**

shared goals and priorities. ECECD coordinates with Eight Northern Indian Pueblo Council (ENIPC) who serves as the CCDF administrator for Picuris, Okhay Owingeh, Santa Clara, Nambe, San Ildefonso, and Pojoaque Pueblos. In addition, ECECD coordinates with Kewa, Cochiti, Acoma, Isleta, Jemez, Laguna, Sand Felipe, Sandia, Tesuque, Zia, Santa Ana, Taos, and Zuni Pueblos and the Mescalero Apache Tribe. An example of our collaboration includes a recent request from two Tribal CCDF administrators for assistance in completing background checks, ECECD developed an MOU with San Felipe and Zuni Pueblos to have the state conduct background checks on their behalf. The CCDF Administrator and the Assistant Secretary have ongoing consultation with Tribal leaders that have resulted in increased coordination around early intervention, parent engagement, expanded PreK options, and language preservation. The Assistant Secretary also convenes a monthly call with Tribal Education Directors, Head Start, Child Care and other organizations working in Tribal communities. The purpose of the Tribal Monthly communication call is to provide agency updates and share information on ECECD initiatives to the tribal early childhood community, inform tribal education leaders what is happening in early childhood care and education at the local and national level, and give an opportunity for authentic dialogue between the 23 Tribes, Pueblos and Nations and the state of New Mexico and those that work with Indigenous families and children. ECECD also partners with the 23 Tribes, Pueblos and Nations of New Mexico through its New Mexico Early Childhood Tribal Advisory Coalition (NNECTAC). The NNECTAC facilitates regular communication and engagement with tribal early education communities. NNECTAC primarily focuses on capacity building and advising ECECD on changes to policies and protocols that have the potential to affect Indigenous children across the state. In FY23, NNECTAC has focused on building capacity around community and family engagement, the legislative process, and professional development. The coalition has also offered feedback on best practices for tribal relations, changes to the FOCUS tiered quality rating system, topics and training opportunities for other state partners, and updates to the state CCDF plan. Additionally, this is a unique and critically important Indigenous coalition because they also share current community initiatives to collaborate and share resources and wisdom amongst each other. NNECTAC works closely with other state Early Childhood advisory bodies to increase collaboration within the New Mexico Early Childhood Ecosystem.

[] Not applicable. Check here if there are no Indian Tribes and/or Tribal organizations in the State/Territory.

- c. State/Territory agency(ies) responsible for programs for children with disabilities, including early intervention programs authorized under the Individuals with Disabilities Education Act. Describe the coordination and results of the coordination: **ECECD administers the Part C Early Intervention program for New Mexico and coordinates closely with the Public Education Department (PED) on provision of Part B services. In March 2024, an MOU was executed between PED and ECECD that transfers the 619 Coordinator from PED to ECECD. The goal of ECECD is to ensure coordination and collaboration between child care, Part C, and Part B and PreK to make services seamless for families. Both Part B and Part C service providers collaborate with early childhood professionals in their community to provide services in a child's natural environment. The NM Department of Health houses the Children's Medical Services (CMS) program, which is the state's Title V program for children with special needs. ECECD collaborates with CMS to ensure children with special needs are connected to services, including early intervention,**

medical care, vision and hearing screening, and insurance coverage. In spring of 2024 ECECD hosted a webinar where CMS staff gave a presentation to early childhood professionals on the services provided by the program and how families can access those services.

- d. State/Territory office/director for Head Start State collaboration. Describe the coordination and results of the coordination: **ECECD is the lead agency for the Head Start State Collaboration office. Our shared coordination goals include improving the credentials and compensation of the Head Start early childhood workforce and redesigning our quality rating and improvement system with a more intentional focus on teacher interactions and credentials and group size and ratios that aligns with Head Start Program Performance Standards. Through the Head Start State Collaboration Office, ECECD is partnering with the New Mexico Head Start Association to support conversion of Head Start to Early Head Start and strengthen coordination and partnerships between local education agencies and Head Start recipients. The result of this coordination will be increased access to high-quality infant and toddler care, improved outcomes for children with special needs, and more seamless transitions for Head Start children.**
- e. State/Territory agency responsible for public health, including the agency responsible for immunizations. Describe the coordination and results of the coordination: **The state agency responsible for public health, including immunizations, is the NM Department of Health (NM DOH). ECECD coordinates with DOH in a variety of ways, including training the early childhood workforce on the importance of immunizations and other health topics. ECECD is working with DOH, the Immunization Coalition, and the NM Pediatric Society to increase COVID vaccine rates in children under five. ECECD also works with DOH on statewide prevention and promotion activities such as safe sleep education and training and distribution of safe sleep spaces (bassinets or pack-and-plays). ECECD collaborates with the DOH Women, Infants and Children (WIC) program to provide healthy foods, nutrition education, and support with breastfeeding. ECECD is also partnering with DOH to implement the Family Connects light touch home visiting program. ECECD funded DOH staff in Bernalillo County to successfully pilot the program, which recently became certified by Family Connects International. The result of this coordination will be improved immunization rates for children, a decrease in infant deaths related to safe sleep, and an increase in access to an evidence based home visiting program for families.**
- f. State/Territory agency responsible for employment services/workforce development. Describe the coordination and results of the coordination: **The Department of Workforce Solutions (DWS) is the employment services/workforce development agency in New Mexico. ECECD is coordinating with DWS on developing and expanding apprenticeships and pre-apprenticeships for early childhood educators to provide aspiring educators with essential practical training, mentorship, and direct classroom engagement. DWS is also convening employers and ECECD to hear about challenges to establishing employer-based child care services and identify actionable solutions to address challenges. The result of this coordination will be increased number of early childhood apprenticeships, improved relationships with local businesses around child care needs, and an increase in child care supply.**
- g. State/Territory agency responsible for public education, including pre-Kindergarten. Describe the coordination and results of the coordination: **ECECD is the agency responsible for administering and monitoring the state pre-Kindergarten program. The**

coordination with community-based child care centers and homes include offering 1080 or 1380 hours of instruction options which supports child care programs in offering close to full-day, full-year services with wrap around supports through child care funding. The result of this coordination includes technical assistance and coaching that benefits the leadership in the community-based child care programs, which includes a specific focus on early literacy and social and emotional development.

- h. State/Territory agency responsible for child care licensing. Describe the coordination and results of the coordination: **ECECD is the lead agency for child care licensing. The results of this coordination include improved communication to child care providers about opportunities for families and early childhood professionals.**
- i. State/Territory agency responsible for the Child and Adult Care Food Program (CACFP) and other relevant nutrition programs. Describe the coordination and results of the coordination: **ECECD is the lead agency for the Child and Adult Care Food Program and the Summer Food Services Program. The results of this coordination include ensuring most child care programs are enrolled in the CACFP program and result in improved communication for family child care providers through ECECD's coordination with food sponsors to deliver key messages and sharing opportunities for support.**
- j. McKinney-Vento State coordinators for homeless education and other agencies providing services for children experiencing homelessness and, to the extent practicable, local McKinney-Vento liaisons. Describe the coordination and results of the coordination: **ECECD coordinates with the Public Education Department's McKinney-Vento State Coordinators for homeless education on needs assessments, screening forms, and through ongoing professional development and intentional and accessible communication for families experiencing homelessness. ECECD and the McKinney-Vento State Director will explore a partnership through their family and community outreach and the School House Connection. The results of our coordination are that staff are more familiar with the resources available to families and more families become connected to critical programs and services.**
- k. State/Territory agency responsible for the TANF program. Describe the coordination and results of the coordination: **The Health Care Authority is the agency responsible for the TANF program. The agency transfers TANF funding to ECECD to support child care assistance for TANF families and families at or below 100 percent of poverty. We coordinate to ensure accessing child care is not a barrier for families receiving TANF. We are also working with the agency to embed child care eligibility with the other benefit programs to support families in accessing all the services they need at one time. At the Department of Workforce Solutions, TANF participants go through the process of signing up for child care at the same time that they enroll in employment and training services. This can serve as a model for co-enrollment between other programs. The results of this coordination include improved outreach for families eligible to receive child care assistance and the opportunity to move towards a common application to better support families that receive TANF in accessing child care.**
- l. State/Territory agency responsible for Medicaid and the State Children's Health Insurance Program. Describe the coordination and results of the coordination: **The Health Care Authority is the agency responsible for Medicaid and the State Children's Health Insurance Program in New Mexico. ECECD coordinates with the HCA to expand access to evidence-**

based home visiting. ECECD leadership meets monthly with the Managed Care Organizations to review and improve the referral process for members and identify barriers and solutions to increasing awareness and access for families. Home visitors discuss healthcare and insurance needs with families and support them in applying for Medicaid/CHIP. This coordination results in more Medicaid eligible families having access to evidence-based home visiting.

- m. State/Territory agency responsible for mental health services. Describe the coordination and results of the coordination: **ECECD is a member of the New Mexico Behavioral Health Collaborative (BHC). The coordination goals include expanding the provider network and ensuring services being offered meet the needs of families and children. The BHC has a strategic plan and all cabinet agencies meet quarterly to share updates, review progress, and address challenges. The result of this coordination will include support for the expansion of ECECD's Social Emotional Early Development (SEED) initiative which provides infant early childhood mental health consultation available to early childhood programs.**
- n. Child care resource and referral agencies, child care consumer education organizations, and providers of early childhood education training and professional development. Describe the coordination and results of the coordination: **ECECD coordinates with UNM ECS, the state's child care resource and referral system, to provide consumer education, offer in-person and virtual trainings on the quality rating and improvement system, improving the business practices of the child care industry is a shared coordination goal which is addressed through the business practices training and the shared services Biz-Toolkit. They also manage the trainer approval system for ECECD which ensures consistency in the quality of trainings that are offered to child care staff across the state. The results of our coordination will be high-quality child care programs across the state that understand the business model for child care and can effectively recruit and retain staff.**
- o. Statewide afterschool network or other coordinating entity for out-of-school time care (if applicable). Describe the coordination and results of the coordination: **The Child Adult Care Food Program (CACFP) works with out of school time programs throughout the state to support the provision of snacks and supper during the out of school time program hours through the At-Risk option. At present, there are 305 out of school time sites that participate in the At-Risk option of the Child Adult Care Food Program. On average, 142,962 suppers and snacks are served monthly at the out of school time program sites. The results of this coordination include more vulnerable children having access to nutritious meals in their after school programs and when schools are not in session.**
- p. Agency responsible for emergency management and response. Describe the coordination and results of the coordination: **ECECD is responsible for emergency management and response. Coordination goals for ECECD were to develop a comprehensive statewide disaster preparedness plan to address emergency preparedness, response, and recovery efforts specific to child care. Key partners included: Homeland Security; Department of Health; Children, Youth and Families Department, Health and Human Services Department; New Mexico Resource and Referral; and State Advisory Council. On March 16, 2021, ECECD hosted a statewide planning session with state agencies, child care providers, and PreK educators to obtain input on the plan. A follow-up session to finalize the plan was held on May 12, 2021. The results of this coordination include timely and effective communication for child care providers and families during an emergency.**

- q. The following are examples of optional partners a Lead Agency might coordinate with to provide services. Check which optional partners the Lead Agency coordinates with and describe the coordination and results of the coordination.
- i. ☒ State/Territory/local agencies with Early Head Start – Child Care Partnership grants. Describe: **ECECD coordinates with the two Early Head Start Child Care Partnerships in the state. We meet quarterly to discuss challenges and address any barriers families are experiencing in accessing child care assistance. The results of this coordination will include more alignment of state policies to support the expansion of Early Head Start Child Care Partnerships in the state.**
 - ii. ☒ State/Territory institutions for higher education, including community colleges. Describe: **ECECD is a member of the NM Early Childhood Higher Education Task force. Our shared coordination goals focus on updating the Professional Standards and Competencies for Early Childhood Professionals and seeking the National Association for the Education of Young Children Accreditation for nine of the state’s colleges and universities. Additionally, we are coordinating on developing an early childhood special education pathway to enhance the early intervention workforce, and through private philanthropy, we are engaged with institutions for higher education in developing a multilingual early childhood certificate. The results of this coordination are an improved early childhood system that better supports positive outcomes for early childhood professionals and young children. The coordination will also enhance the quality of the early childhood workforce supporting children with development delays and disabilities.**
 - iii. ☐ Other federal, State, local, and/or private agencies providing early childhood and school-age/youth-serving developmental services. Describe:
 - iv. ☒ State/Territory agency responsible for implementing the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) programs grant. Describe: **ECECD is the agency responsible for implementing MIECHV and coordination goals include linking families to child care and ensuring that families in child care are aware of the benefits of participating in home visiting. The coordination will result in more families enrolled in child care being aware of opportunities for evidence based home visiting.**
 - v. ☒ Agency responsible for Early and Periodic Screening, Diagnostic, and Treatment Program. Describe: **The agency responsible for EPSDT is the Human Services Department, Medicaid Division. Medicaid covers approximately half of all children in New Mexico and ECECD coordinates with Medicaid and pediatric healthcare providers to ensure young children receive appropriate physical, dental, developmental, and mental health services. Home visitors, early intervention providers, and Families FIRST nurse case managers all provide assistance with Medicaid referrals and enrollment, linkage to a medical home, and screenings to identify children’s needs. This past year home visitors received training on how to address vaccine hesitancy and support families in obtaining needed immunizations, which is one of the goals of EPSDT.**
 - vi. ☒ State/Territory agency responsible for child welfare. Describe: **ECECD coordinates with the Children, Youth and Families Department to offer eligibility services at its Family Resource Centers, and coordinates around infant early**

childhood mental health consultation and child care for children in foster care. The results of this coordination include more families being connected to promotion and prevention services and increased access to social emotional supports for early childhood professionals, families, and children.

- vii. **[x]** Child care provider groups or associations. Describe: **ECECD coordinates with the NM Child Care and Education Association (NMCCEA), the New Mexico Head Start Association (NMHSA), the Family Child Care Accelerator through Growing Up New Mexico, and Organizing in the Land of Enchantment (Ole) a grassroots group of early childhood professionals. The results of our coordination include a shared agenda for child care and NM PreK that includes a focus on improved compensation for the early childhood workforce.**
- viii. **[x]** Parent groups or organizations. Describe: **Through ECECD's partnership with Growing Up New Mexico, the department invests in a statewide Family Leadership Council and an active PN-3 Coalition focused on improving state policies and investments. ECECD developed a public private partnership with Partnership for Community Action to implement Abriendo Puertas statewide to improve parent and family engagement and leadership opportunities. The results of this coordination include more family involvement in decision-making and policy making.**
- ix. **[]** Title IV B 21st Century Community Learning Center Coordinators. Describe:
- x. **[]** Other. Describe:

8.2 Optional Use of Combined Funds, CCDF Matching, and Maintenance-of-Effort Funds

Lead Agencies may combine CCDF funds with other Federal, State, and local child care and early childhood development programs, including those in 8.1.1. These programs include preschool programs, Tribal child care programs, and other early childhood programs, including those serving infants and toddlers with disabilities, children experiencing homelessness, and children in foster care.

Combining funds may include blending multiple funding streams, pooling funds, or layering funds from multiple funding streams to expand and/or enhance services for infants, toddlers, preschoolers, and school-age children and families to allow for the delivery of comprehensive quality care that meets the needs of children and families. For example, Lead Agencies may use multiple funding sources to offer grants or contracts to programs to deliver services; a Lead Agency may allow a county/local government to use coordinated funding streams; or policies may be in place that allow local programs to layer CCDF funds with additional funding sources to pay for full-day, full-year child care that meets Early Head Start/Head Start Program Performance Standards or State/Territory pre-Kindergarten requirements in addition to State/Territory child care licensing requirements.

As a reminder, CCDF funds may be used in collaborative efforts with Head Start and Early Head Start programs to provide comprehensive child care and development services for children who are eligible for both programs.

8.2.1 Combining funding for CCDF services

Does the Lead Agency combine funding for CCDF services with Title XX of the Social Services Block Grant (SSBG), Title IV B 21st Century Community Learning Center Funds, State-only child care funds, TANF direct funds for child care not transferred into CCDF, Title IV-B, IV-E funds, or other federal or State programs?

☐ No. (If no, skip to question 8.2.2)

☒ Yes.

- i. If yes, describe which funds you will combine. Combined funds may include, but are not limited to:

☐ Title XX (Social Services Block Grant, SSBG)

☐ Title IV B 21st Century Community Learning Center Funds (Every Student Succeeds Act)

☒ State- or Territory-only child care funds

☐ TANF direct funds for child care not transferred into CCDF

☐ Title IV-B funds (Social Security Act)

☐ Title IV-E funds (Social Security Act)

☐ Other. Describe:

- ii. If yes, what does the Lead Agency use combined funds to support, such as extending the day or year of services available (i.e., full-day, full-year programming for working families), smoothing transitions for children, enhancing and aligning quality of services, linking comprehensive services to children in child care, or developing the supply of child care for vulnerable populations? **ECECD uses combined funds for at-risk families and families over 85 percent of State Medium Income (SMI) and combined funds are used to waive copayments for families.**

8.2.2 Funds used to meet CCDF matching and MOE requirements

Lead Agencies may use public funds and donated funds to meet CCDF match and maintenance of effort (matching MOE) requirements.

Note: Lead Agencies that use State pre-Kindergarten funds to meet matching requirements must check State pre-Kindergarten funds and public and/or private funds.

Use of private funds for match or maintenance-of-effort: Donated funds do not need to be under the administrative control of the Lead Agency to qualify as an expenditure for federal match. However, Lead Agencies must identify and designate in the State/Territory CCDF Plan the donated funds given to public or private entities to implement the CCDF child care program.

☐ Not applicable. The Lead Agency is a Territory (skip to 8.3.1).

- a. Does the Lead Agency use public funds to meet match requirements?

☒ Yes. If yes, describe which funds are used: **ECECD utilizes State General Funds to meet CCDF match and maintenance of effort (MOE) requirements.**

☐ No.

- b. Does the Lead Agency use donated funds to meet match requirements?
- ☐ Yes. If yes, identify the entity(ies) designated to receive donated funds:
- i. ☐ Donated directly to the state.
 - ii. ☐ Donated to a separate entity(ies) designated to receive donated funds. If checked, identify the name, address, contact, and type of entities designated to receive private donated funds:
- ☒ No.
- c. Does the Lead Agency certify that, if State expenditures for pre-Kindergarten programs are used to meet the MOE requirements, the following is true:
- The Lead Agency did not reduce its level of effort in full-day/full-year child care services.
 - The Lead Agency ensures that pre-Kindergarten programs meet the needs of working parents.
 - The estimated percentage of the MOE requirement that will be met with pre-Kindergarten expenditures (does not to exceed 20 percent).
 - If the percentage is more than 10 percent of the MOE requirement, the State will coordinate its pre-Kindergarten and child care services to expand the availability of child care.
- Public pre-Kindergarten funds may also serve as MOE funds as long as the State can describe how it will coordinate pre-Kindergarten and child care services to expand the availability of child care while using public pre-Kindergarten funds as no more than 20 percent of the State's MOE or 30 percent of its matching funds in a single fiscal year.
- If expenditures for pre-Kindergarten services are used to meet the MOE requirement, does the Lead Agency certify that the State or Territory has not reduced its level of effort in full-day/full-year child care services?
- ☐ Yes.
- ☒ No. If no, describe: **Not applicable as New Mexico does not use PreK funds for MOE.**

8.3 Coordination with Child Care Resource and Referral Systems

Lead Agencies may use CCDF funds to establish or support a system or network of local or regional child care resource and referral (CCR&R) organizations that is coordinated, to the extent determined by the Lead Agency, by a statewide public or private non-profit, community-based or regionally based, lead child care resource and referral organization (such as a statewide CCR&R network).

If Lead Agencies use CCDF funds for local CCR&R organizations, the local or regional CCR&R organizations supported by those funds must, at the direction of the Lead Agency:

- Provide parents in the State with consumer education information concerning the full range of child care options (including faith-based and community-based child care providers), analyzed by provider, including child care provided during non-traditional hours and through emergency child care centers, in their area.
- To the extent practicable, work directly with families who receive assistance to offer the

families support and assistance to make an informed decision about which child care providers they will use to ensure that the families are enrolling their children in the most appropriate child care setting that suits their needs and one that is of high quality (as determined by the Lead Agency).

- Collect data and provide information on the coordination of services and supports, including services under Part B, Section 619 and Part C of the Individuals with Disabilities Education Act.
- Collect data and provide information on the supply of and demand for child care services in areas of the State and submit the information to the Lead Agency.
- Work to establish partnerships with public agencies and private entities, including faith-based and community-based child care providers, to increase the supply and quality of child care services in the State and, as appropriate, coordinate their activities with the activities of the Lead Agency and local agencies that administer funds made available through CCDF.

8.3.1 Funding a system or network of CCR&R organization(s)

Does the Lead Agency fund a system or network of local or regional CCR&R organization(s)?

☐ No. The Lead Agency does not fund a system or network of local or regional CCR&R organization(s) and has no plans to establish one.

☐ No, but the Lead Agency has plans to develop a system or network of local or regional CCR&R organization(s).

☒ Yes. The Lead Agency funds a system or network of local or regional CCR&R organization(s) with all the responsibilities outlined above. If yes, describe the activities outlined above carried out by the CCR&R organization(s), as directed by the Lead Agency: **ECECD contracts with the University of New Mexico Early Childhood Services Center (UNM ECS) to provide Child Care Resource and Referral Services for families and providers. These services including working directly with families to identify child care options that meet their child's needs. They also provide information on PreK, Head Start, home visiting, and early intervention services. UNM ECS collects data on the need and availability of care and establishes partnerships with public, private, and faith based community-based providers and the CCR&R coordinates all their activities with ECECD.**

8.4 Public-Private Partnerships

Lead Agencies must demonstrate how they encourage partnerships among other public agencies, Tribal organizations, private entities, faith-based organizations, businesses, or organizations that promote business involvement, and/or community-based organizations to leverage existing service delivery (i.e., cooperative agreement among providers to pool resources to pay for shared fixed costs and operation) to leverage existing child care and early education service delivery systems and to increase the supply and quality of child care services for children younger than age 13.

8.4.1 Lead Agency public-private partnerships

Identify and describe any public-private partnerships encouraged by the Lead Agency to leverage public and private resources to further the goals of CCDF: **ECECD is a recipient of private philanthropy funds that are directly supporting enhanced data visualization and analysis,**

improved supply building for infant and toddler care, infant and early childhood mental health consultation, expansion of evidence-based home visiting models and overall, a more coordinated, and equitable Prenatal to Age Three (PN-3) system. Through ECECD's partnership with Growing Up New Mexico, the department invests in a statewide Family Leadership Council and an active PN-3 Coalition focused on improving state policies and investments. ECECD developed a public private partnership with Partnership for Community Action to implement Abriendo Puertas statewide to improve parent and family engagement and leadership opportunities. ECECD is also using public private partnerships to build a strong local to state governance system through local early childhood system building coalitions that actively engage businesses, families and providers with a focus on increasing access to high-quality early childhood services and supports. Finally, ECECD has a public private partnership with the New Mexico Finance Authority to issue low interest loans to child care providers that want to expand the supply of child care.

8.5 Disaster Preparedness and Response Plan

Lead Agencies must establish a Statewide Child Care Disaster Plan and demonstrate how they will address the needs of children—including the need for safe child care before, during, and after a state of emergency declared by the Governor or a major disaster or emergency (as defined by Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5122)—through a Statewide Disaster Plan.

8.5.1 Statewide Disaster Plan updates

- a. When was the Lead Agency's Child Care Disaster Plan most recently updated and for what reason? **ECECD's most recent update to its Child Care Disaster Plan was in September 2021, the Plan was updated to reflect that ECECD is the responsible agency, and to include updates that were made as a result of ECECD's experience in responding to the COVID-19 pandemic.**
- b. Please certify compliance by checking the required elements the Lead Agency includes in the current State Disaster Preparedness and Response Plan.
 - i. The plan was developed in collaboration with the following required entities:
 - ☒ State human services agency.
 - ☒ State emergency management agency.
 - ☒ State licensing agency.
 - ☒ State health department or public health department.
 - ☒ Local and State child care resource and referral agencies.
 - ☒ State Advisory Council on Early Childhood Education and Care or similar coordinating body.
 - ii. ☒ The plan includes guidelines for the continuation of child care subsidies.
 - iii. ☒ The plan includes guidelines for the continuation of child care services.
 - iv. ☒ The plan includes procedures for the coordination of post-disaster recovery of child care services.
 - v. The plan contains requirements for all CCDF providers (both licensed and license-

exempt) to have in place:

- ☒ Procedures for evacuation.
 - ☒ Procedures for relocation.
 - ☒ Procedures for shelter-in-place.
 - ☒ Procedures for communication and reunification with families.
 - ☒ Procedures for continuity of operations.
 - ☒ Procedures for accommodations of infants and toddlers.
 - ☒ Procedures for accommodations of children with disabilities.
 - ☒ Procedures for accommodations of children with chronic medical conditions.
- vi. ☒ The plan contains procedures for staff and volunteer emergency preparedness training.
 - vii. ☒ The plan contains procedures for staff and volunteer practice drills.
 - viii. If any of the above are not checked, describe:
 - ix. If available, provide the direct URL/website link to the website where the Statewide Child Care Disaster Plan is posted: **<https://www.nmececd.org/wp-content/uploads/2021/09/FINAL-New-Mexico-Child-Care-Emergency-Preparedness-Plan-2021-09.19.2021.pdf>**

9 Family Outreach and Consumer Education

CCDF consumer education requirements facilitate parental choice in child care arrangements, support parents as child care consumers who need information to make informed choices regarding the services that best suit their family's needs, and the delivery of resources that can support child development and well-being. Lead Agency consumer education activities must provide information for parents receiving CCDF assistance, the general public, and, when appropriate, child care providers. Lead Agencies should use targeted strategies for each group to ensure tailored consumer education information and take steps to ensure they are effectively reaching all individuals, including those with limited English proficiency and those with disabilities.

In this section, Lead Agencies address their consumer education practices, including details about their child care consumer education website, and the process for collecting and maintaining a record of parental complaints.

9.1 Parental Complaint Process

Lead Agencies must maintain a record of substantiated parental complaints against child care providers and make information regarding such complaints available to the public on request. Lead Agencies must also provide a detailed description of the hotline or similar reporting process for parents to submit complaints about child care providers; the process for substantiating complaints; the manner in which the Lead Agency maintains a record of substantiated parental complaints; and ways that the Lead Agency makes information on such parental complaints

available to the public on request. Lead Agencies are not required to limit the complaint process to parents.

9.1.1 Parental complaint process

- a. Describe the Lead Agency's hotline or similar reporting process through which parents can submit complaints about child care providers, including a link if it is a Web-based process: **Parents may submit complaints to ECECD about child care providers by calling the Early Childhood Education and Care Intake Center at 1-888-351-0037 or via email: ChildCare.Complaint@eecd.nm.gov. The contact information to report complaints is also posted on the consumer website: <https://www.nmeecd.org>.**
- b. Describe how the parental complaint process ensures broad access to services for families that speak languages other than English: **ECECD's consumer website has a translation feature for the preferred language of the consumer. The Early Childhood Education and Care Intake Center is staffed by two individuals who will contact the necessary language link representative for interpretation assistance.**
- c. Describe how the parental complaint process ensures broad access to services for persons with disabilities: **ECECD's consumer education website is geared toward user experience design features using formats to support wide access for individuals with disabilities. The web design is responsive, and content automatically adjusts to fit the device. All webpages are designed to be viewed in a user's browser and operating system, and all webpages, documents and links are tested in development prior to being added to the production site. Moreover, the information on the website is readable with Screen Reader, and audio and video files.**
- d. For complaints about providers, including CCDF providers and non-CCDF providers, does the Lead Agency have a process and timeline for screening, substantiating, and responding to complaints, including information about whether the process includes monitoring?

[x] Yes. If yes, describe: All complaints come through ECECD, either through the Early Childhood Education and Care Intake Call Center or directly through field offices. All complaints and incidents are investigated by ECECD in a timely manner as follows: Priority 1 complaint investigations are initiated within 24 hours; Priority 2 complaint investigations are initiated within three working days; and Priority 3 complaint investigations are initiated within five working days. Initiation timeframes for investigations may be shortened based on the severity and nature of the complaint, but timeframes may not be extended. All complaints involving the health, safety, or welfare of a child will be reviewed and prioritized immediately according to the nature and severity of the complaint. Established protocols and procedures for prioritizing, tracking, initiating, and reporting of complaints and complaint investigations are followed. If a complaint is substantiated, ECECD will make the complaint part of the provider's file and the following actions will, at the discretion of the licensing authority, be taken: (1) require the provider to submit and comply with written corrective action plan; (2) sanction the provider administratively including, without limitation, suspension, revocation, or restriction of a license; or (3) referral to law enforcement for criminal investigation or pursuit of civil remedies. Additional monitoring visits to the provider will be conducted to ensure correction of deficiencies cited in relation to any substantiated complaint. There are no differences in the processes for CCDF and non-CCDF providers

and licensed and licensed-exempt providers.

☐ No.

- e. For substantiated parental complaints, who maintains the record for CCDF and non-CCDF providers? **ECECD maintains the record of complaints for CCDF and non-CCDF providers. All complaints and incidents are entered into a centralized statewide database, which contains a record of referrals, substantiated complaints, and their priority levels. Documentation relating to substantiated complaints against a facility are also kept with the local ECECD child care office.**
- f. Describe how information about substantiated parental complaints is made available to the public; this information can include the consumer education website discussed in subsection 9.2: **ECECD posts substantiated complaint survey reports on its consumer education website. Survey reports are maintained on the website for three years. There is a 10-year retention requirement for all such records. Information may also be requested from ECECD pursuant to the New Mexico Inspection of Public Records Act.**

9.2 Consumer Education Website

Lead Agencies must provide information to parents, the general public, and child care providers through a State or Territory website, which is consumer-friendly and easily accessible for families who speak languages other than English and persons with disabilities. The website must:

- Include information to assist families in understanding the Lead Agency's policies and procedures, including licensing child care providers;
- Include monitoring and inspection reports for each provider and, if available, the quality of each provider;
- Provide the aggregate number of deaths, serious injuries, and the number of cases of substantiated child abuse that have occurred in child care settings;
- Include contact information for local CCR&R organizations to help families access additional information on finding child care; and
- Include information on how parents can contact the Lead Agency and other organizations to better understand the information on the website.

9.2.1 Consumer-friendly website

Does the Lead Agency ensure that its consumer education website is consumer-friendly and easily accessible?

- i. Provide the URL for the Lead Agency's consumer education website homepage:
<https://www.newmexicokids.org/newmexicokids-resource-and-referral/>
- ii. Does the Lead Agency certify that the consumer education website ensures broad access to services for families who speak languages other than English?
[x] Yes.
☐ No. If no, describe:
- iii. Does the Lead Agency certify that the consumer education website ensures broad access to services for persons with disabilities?

☒ Yes.

☐ No. If no, describe:

9.2.2 Additional consumer education website links

Provide the direct URL/website link for the following:

- i. Provide the direct URL/website link to how the Lead Agency licenses child care providers: <https://www.nmececd.org//child-care-licensing-and-registered-homes/>
- ii. Provide the direct URL/website link to the processes for conducting monitoring and inspections of child care providers: <https://www.nmececd.org//child-care-licensing-and-registered-homes/>
- iii. Provide the direct URL/website link to the policies and procedures related to criminal background checks for staff members of child care providers: <https://www.nmececd.org/comprehensive-background-check-process/>
- iv. Provide the direct URL/website link to the offenses that prevent individuals from being employed by a child care provider: <https://www.nmececd.org/comprehensive-background-check-process/>

9.2.3 Searchable list of providers

- a. The consumer education website must include a list of all licensed providers searchable by ZIP code.
 - i. Does the Lead Agency certify that the consumer education website includes a list of all licensed providers searchable by ZIP code?

☒ Yes.

☐ No. If no, describe:
 - ii. Provide the direct URL/website link to the list of child care providers searchable by ZIP code: <https://childcare.ececd.nm.gov/search>
 - iii. In addition to the licensed child care providers that must be included in the searchable list, are there additional providers included in the Lead Agency's searchable list of child care providers? Check all that apply:

☐ License-exempt center-based CCDF providers.

☒ License-exempt family child care CCDF providers.

☐ License-exempt non-CCDF providers.

☐ Relative CCDF child care providers.

☒ Other (e.g., summer camps, public pre-Kindergarten). Describe: **Public Pre-Kindergarten programs that do not need to be licensed by the state (i.e., those in public schools) are also listed on the searchable list.**
- b. Identify what additional (optional) information, if any, is available in the searchable results by ZIP code. Check the box when information is provided.

Provider Information Available in Searchable Results
--

	All licensed providers	License-exempt CCDF center-based providers	License-exempt CCDF family child care home providers	License-exempt non-CCDF providers	Relative CCDF providers
Contact information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Enrollment capacity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hours, days, and months of operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provider education and training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Languages spoken by the caregiver	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Quality information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monitoring reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Willingness to accept CCDF certificates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ages of children served	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Specialization or training for certain populations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Care provided during nontraditional hours	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- c. Identify any other information searchable on the consumer education website for the child care provider type listed below and then, if checked, describe the searchable information included on the website.
- i. ☒ All licensed providers. Describe: **ECECD also lists the following on its website related to licensed providers: special skills, philosophy, map of location, brief overview of environment, meals offered, financial assistance available, and transportation details. Providers who have claimed their site on the ECECD.**
 - ii. ☐ License-exempt CCDF center-based providers. Describe:
 - iii. ☒ License-exempt CCDF family child care providers. Describe: **ECECD also lists the following information on its website related to license-exempt CCDF family child care providers: special skills, philosophy, map of location, brief overview of environment, meals offered, financial assistance available, and transportation details. Providers who have claimed their site on the ECECD child care finder have the ability to personalize it and include additional information about their program, and parents may request a tour, apply, and message the provider.**

- iv. ☐ License-exempt, non-CCDF providers. Describe:
- v. ☐ Relative CCDF providers. Describe:
- vi. ☐ Other. Describe:

9.2.4 Provider-specific quality information

Lead Agencies must identify specific quality information on each child care provider for whom they have this information. Provider-specific quality information must only be posted on the consumer education website if it is available for the individual child care provider.

- a. What specific quality information does the Lead Agency provide on the website?
 - i. ☒ Quality improvement system.
 - ii. ☒ National accreditation.
 - iii. ☐ Enhanced licensing system.
 - iv. ☐ Meeting Head Start/Early Head Start Program Performance Standards.
 - v. ☐ Meeting pre-Kindergarten quality requirements.
 - vi. ☐ School-age standards.
 - vii. ☐ Quality framework or quality improvement system.
 - viii. ☐ Other. Describe:
- b. For what types of child care providers is quality information available?
 - i. ☒ Licensed CCDF providers. Describe the quality information: **FOCUS-QRIS Star Level**
 - ii. ☒ Licensed non-CCDF providers. Describe the quality information: **FOCUS-QRIS Star Level**
 - iii. ☐ License-exempt center-based CCDF providers. Describe the quality information:
 - iv. ☐ License-exempt FCC CCDF providers. Describe the quality information:
 - v. ☐ License-exempt non-CCDF providers. Describe the quality information:
 - vi. ☐ Relative child care providers. Describe the quality information:
 - vii. ☐ Other. Describe:

9.2.5 Aggregate data on serious injuries, deaths, and substantiated abuse

Lead Agencies must post aggregate data on serious injuries, deaths, and substantiated cases of child abuse that have occurred in child care settings each year on the consumer education website. This aggregate data must include information about any child in the care of a provider eligible to receive CCDF, not just children receiving subsidies.

This aggregate information on serious injuries and deaths must be separated by category of care (e.g., centers, family child care homes, and in-home care) and licensing status (i.e., licensed or license-exempt) for all eligible CCDF child care providers in the State/Territory. The information on instances of substantiated child abuse does not have to be organized by category of care or

licensing status. Information must also include the total number of children in care by provider type and licensing status, so that families can better understand the data presented on serious injuries, deaths, and substantiated cases of abuse.

- a. Certify by checking below that the required elements are included in the Aggregate Data Report on serious incident data that have occurred in child care settings each year.
 - i. **[x]** The total number of serious injuries of children in care by provider category and licensing status.
 - ii. **[x]** The total number of deaths of children in care by provider category and licensing status.
 - iii. **[x]** The total number of substantiated instances of child abuse in child care settings.
 - iv. **[x]** The total number of children in care by provider category and licensing status.
 - v. If any of the above elements are not included, describe:
- b. Certify by providing:
 - i. The designated entity to which child care providers must submit reports of any serious injuries or deaths of children occurring in child care and describe how the Lead Agency obtains the aggregate data from the entity: **Child care providers are required to report any serious injury or death of a child occurring in the child care facility to ECECD, which tracks the number of deaths, number of serious injuries, and incidents of substantiated child abuse in child care settings by category of care, including licensing status. All complaints and incidents are entered into a centralized statewide database, Enterprise Provider Information and Constituent Services (EPICS). The aggregate information regarding injuries or deaths of children occurring in child care facilities is provided on an annual basis on the consumer website.**
 - ii. The definition of “substantiated child abuse” used by the Lead Agency for this requirement: **Substantiated child abuse is defined by ECECD as any act or failure to act, performed intentionally, knowingly or recklessly, which causes or is likely to cause harm to a child, including but not limited to: inappropriate use of physical restraint, isolation, medication or other means that harms or is likely to harm a child; or, an unlawful act, a threat or menacing conduct directed toward a child that results or might be expected to result in fear or emotional or mental distress to a child.**
 - iii. The definition of “serious injury” used by the Lead Agency for this requirement: **Serious injury is defined by ECECD as an illness or injury that requires treatment by a medical professional or hospitalization.**
- c. Provide the direct URL/website link to the page where the aggregate number of serious injuries, deaths, and substantiated child abuse, and the total number of children in care by provider category and licensing status are posted: **<https://www.nmeccd.org//child-care-licensing-and-registered-homes/>**

9.2.6 Contact information on referrals to local child care resource and referral organizations

The Lead Agency consumer education website must include contact information on referrals to local CCR&R organizations.

- a. Does the consumer education website include contact information on referrals to local CCR&R organizations?

☒ Yes.

☐ No.

☐ Not applicable. The Lead Agency does not have local CCR&R organizations.

- b. Provide the direct URL/website link to this information: <https://www.nmececd.org//child-care-licensing-and-registered-homes/>

9.2.7 Lead Agency contact information for parents

The Lead Agency consumer and provider education website must include information on how parents can contact the Lead Agency or its designee and other programs that can help the parent understand information included on the website.

- a. Does the website provide directions on how parents can contact the Lead Agency or its designee and other programs to help them understand information included on the website?

☒ Yes.

☐ No.

- b. Provide the direct URL/website link to this information:
<https://www.nmececd.org/information-for-parents/>

9.2.8 Posting sliding fee scale, co-payment amount, and policies for waiving co-payments

The consumer education website must include the sliding fee scale for parent co-payments, including the co-payment amount a family may expect to pay and policies for waiving co-payments.

- a. Does the Lead Agency certify that their consumer education website includes the sliding fee scale for parent co-payments, including the co-payment amount a family may expect to pay and policies for waiving co-payments?

☒ Yes.

☐ No.

- b. Provide the direct URL/website link to the sliding fee scale.
<https://www.nmececd.org/child-care-assistance/>

9.3 Increasing Engagement and Access to Information

Lead Agencies must collect and disseminate information about the full range of child care services to promote parental choice to parents of children eligible for CCDF, the general public, and child care providers.

9.3.1 Information about CCDF availability and eligibility

Describe how the Lead Agency shares information with eligible parents, the general public, and child care providers about the availability of child care services provided through CCDF and other programs for which the family may be eligible. The description should include, at a minimum, what is provided (e.g., written materials, the website, and direct communications) and what approaches are used to tailor information to parents, the general public, and child care providers. ECECD shares information with eligible parents, the general public, and child care providers about the availability of child care services provided through CCDF and other programs in a variety of ways -- including through advertising, a Child Care Finder and other related websites, written materials, a call center, and in-person events. ECECD partners with Wonderschool to maintain a statewide database, known as Child Care Finder, of child care providers that are licensed or registered by recognized regulatory agencies in New Mexico, and who continue to maintain their status with their respective regulatory agency. New Mexico Resource and Referral maintains a database used to provide courtesy referrals to anyone who requests them, at no cost to child care providers or referral clients. Child care providers share the information that is included in the database, and this information is used to help refer families to providers that might meet the needs of their children. In addition, the Resource and Referral website contains information in Spanish. ECECD also provides parents information about the full diversity of child care services through the intake process meetings with front line personnel, through websites (<https://childcare.ececd.nm.gov/search>, www.nmececd.org, and <http://www.newmexicokids.org>) and using the Am I Eligible app. The Am I Eligible app is an online survey which a parent or guardian may take to learn about the programs for the family may qualify. The eligibility survey currently screens for Child Care Assistance, Home Visiting, Pre-K, Summer Food Program, Boys & Girls Club, Head Start, and the FIT program. All websites listed above link to each other. Each of these websites help families find child care facilities, preschool programs, Head Start, PreK, school age care, faith based programs, family in-home care, and other resources. ECECD provides a brochure entitled, "The Parents Guide to Selecting Quality Child Care," which is available at ECECD child care assistance offices. Parents applying for child care assistance are also provided with a brochure on the services offered by the NM Resource and Referral office. A link to the NM Resource and Referral is provided at www.nmececd.org. Parents can search for child care online at www.nmececd.org. Parents may also access child care providers' inspection surveys on either website referenced above. Information on the websites listed above also describes ECECD's FOCUS Program. ECECD website www.nmececd.org provides a link to the Am I Eligible Survey: <https://www.nmececd.org/child-care-assistance/>

ECECD also attends in-person events, such as information sessions for grandparents raising grandchildren, parent-focused fairs, and hosts enrollment fairs to reach families in person. At these events, ECECD uses written materials and enrolls families in its programs on-site.

Additionally, ECECD has a campaign called "Moments Together" aimed at informing, supporting, and inspiring parents and caregivers about the importance of early learning across the state. Moments Together provides easy tips and free, research-based resources for New Mexico parents, making brain development activities fun and easy to integrate into home routines. The campaign was adapted from the United Way of Central New Mexico's (UWCNM) work to advance early literacy outcomes for young children. It was designed by the Early Literacy Strategy Group (ECAP) in collaboration with UNM's Family Development Program, MediaDesk, and New Mexico PBS (NMPBS).

9.3.2 Information about child care and other services available for parents

Does the Lead Agency certify that it provides information described in 9.3.1 for the following required programs?

- Temporary Assistance for Needy Families (TANF) program.
- Head Start and Early Head Start programs.
- Low Income Home Energy Assistance Program (LIHEAP)
- Supplemental Nutrition Assistance Program (SNAP).
- Women, Infants, and Children Program (WIC) program.
- Child and Adult Care Food Program (CACFP).
- Medicaid and Children's Health Insurance Program (CHIP).
- Programs carried out under IDEA Part B, Section 619 and Part C.

☒ Yes.

☐ No. If no, describe:

9.3.3 Consumer statement for parents receiving CCDF services

Lead Agencies must provide parents receiving CCDF services with a consumer statement in hard copy or electronically that contains general information about the CCDF program and specific information about the child care provider they select.

Please certify if the Lead Agency provides parents receiving CCDF services a consumer statement that contains the following 8 requirements:

1. Health and safety requirements met by the provider
2. Licensing or regulatory requirements met by the provider
3. Date the provider was last inspected
4. Any history of violations of these requirements
5. Any voluntary quality standards met by the provider
6. How CCDF subsidies are designed to promote equal access
7. How to submit a complaint through the hotline
8. How to contact a local resource and referral agency or other community-based organization to receive assistance in finding and enrolling in quality child care

Does the Lead Agency provide to families, either in hard copy or electronically, a consumer statement that contains the required information about the provider they have selected, including the eight required elements above?

☒ Yes.

☐ No. If no, describe:

9.3.4 Informing families about best practices on child development

Describe how the Lead Agency makes information available to parents, providers, and the general public on research and best practices concerning children's development, including physical health and development, and information about successful parent and family engagement. At a minimum, the description should include what information is provided; how the information is provided; any distinct activities for sharing this information with parents, providers, the general public; and any partners in providing this information. **ECECD makes information available to parents, providers, and the general public through its Moments Together Campaign that aims to raise awareness about the importance of early childhood across the state and creates a place where parents can gain skills through everyday activities that benefit their child's early development, preparing them for elementary school and beyond. Moments Together also connects families and the general public to programs and services. The Child-Adult Care Food Program (CACFP) administered by ECECD promotes healthy eating, improved dietary quality, and attempts to decrease health risks for overweight children. ECECD's brochure, entitled "The Parents Guide to Selecting Quality Child Care," is available to parents at ECECD child care assistance offices. Parents applying for child care assistance are also provided with a brochure on the services offered by the New Mexico Resource and Referral office. A link to the New Mexico Resource and Referral is provided at www.NewMexicoKids.org and www.nmeccd.org. Parents can search for child care online or by calling New Mexico Resource and Referral office at 1-800-691-9067.**

9.3.5 Unlimited parental access to their children

Does the Lead Agency have procedures to ensure that parents have unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds:

☒ Yes.

☐ No. If no, describe:

9.3.6 Informing families about best practices in social and emotional health

Describe how the Lead Agency shares information with families, providers, and the general public regarding the social-emotional and behavioral and mental health of young children, including positive behavioral intervention and support models based on research and best practices for those from birth to school age: **ECECD outlines requirements for licensed and non-licensed child care providers in providing a positive social-emotional responsive environment in its child care regulations. Licensed and non-licensed providers must also have policies and procedures in effect which shall include how the provider will maintain a positive environment while preventing the expulsion of children. The policies must include clear, appropriate, consistent expectations, and consequences to address disruptive behaviors; and ensure fairness, equity, and continuous improvement. Licensed facilities must include the expulsion policy in their parent handbook. These requirements are detailed in 8.9.4 and 8.9.5 NMAC and are monitored by ECECD's regulatory oversight unit for ongoing compliance. Child care providers develop their policies in accordance with the regulations and with consideration to their community, families, and children served. Information must be relevant to specific child care program and provided to families in the parent handbook. For child care providers participating in FOCUS, New Mexico's Tiered Quality Rating and Improvement System, the policies and handbook are reviewed with their FOCUS**

consultant and support is provided if any revisions are needed. FOCUS consultants also support programs through training and coaching on direct classroom practices to enhance services with attention to social-emotional development, addressing challenging behaviors (supports to educators and families, including assessment of the classroom environment and classroom management). New Mexico home visitors use various screening tools to identify risks and make referrals in support of children and families health and well-being. One the Ages & Stages Questionnaire: Social Emotional, Second Edition (ASQ:SE-2). The ASQ:SE-2 assesses developmental progress in children between the ages of one month to six years. ASQ: SE-2 addresses social competencies and problem behaviors. It is also based on observation and personal interpretation of children's behavior. ASQ: SE-2 screens seven areas of social-emotional development: self-regulation, compliance, social communication, adaptive functioning, autonomy, affect, and interaction with people. New Mexico home visitors are also trained to support positive interactions between caregivers and their infants through play, by fostering regular feeding routines, and by educating caregivers about how to read their infants' cues and respond appropriately. New Mexico home visiting programs use the Parenting Interactions with Children: Checklist of Observations Linked to Outcomes (PICCOLO) observational tool (Roggmann et al., 2013a,2013b), designed for home visiting programs to measure healthy parenting practices and relationships. Based on the results, home visitors help families implement specific strategies to foster daily nurturing parenting behaviors that are known to support children's early development. Home visiting's strength-based approach helps parents to value the interactions they have with their child and validates their important role in their child's development. Home visitors are also trained to recognize potential signs that a young child's social and emotional development are at risk or that a parent suffers from depression. When these risks are identified, home visitors connect families with appropriate community services. New Mexico home visiting uses the PICCOLO to guide practice, as well as measure and report parental capacity outcomes. The national home visiting field has recommended that all states implement the PICCOLO or another validated observational measurement tool to best capture home visits impact on parental capacity, which is a known predictor of healthy child development (Daro, Klein and Burkhardt, 2017). One state supported home visiting program model, the Nurse Family Partnership, uses an alternative observational tool, called the DANCE (Dyadic Assessment of Naturalistic Caregiver Child Experiences). NM PreK programs seek to promote the social-emotional competence of young children by implementing consistent, attuned, safe, and responsive interactions. NM PreK staff also provide parent training and information related to attachment and social-emotional support. This includes sharing information on experiences, interactions, activities, and strategies that support the social-emotional dimensions of young children and with the belief that each person has the opportunity to positively influence a child's development. This includes strategies and trainings on developing children's capacity for self-confidence, self-efficacy, self-regulation/self-control, self-esteem, persistence, conflict resolution, versatile communication skills, empathy, and social skills.

9.3.7 Policies on the prevention of the suspension and expulsion of children

- a. The Lead Agency must have policies to prevent the suspension and expulsion of children from birth to age 5 in child care and other early childhood programs receiving CCDF funds. Describe those policies and how those policies are shared with families, providers, and the general public: **ECECD requires licensed and non-licensed providers to have policies and procedures in place that include how the provider will maintain a positive environment and focus on preventing expulsion. The policies must include clear, appropriate,**

consistent expectations, and consequences to address disruptive behaviors and ensure fairness, equity, and continuous improvement. Licensed facilities must include an expulsion policy in their parent handbook and share it with all parents so that parents remain informed as to the policies and procedures related to potential expulsions. These requirements are outlined in 8.9.4 and 8.9.5 NMAC and are monitored by the ECECD regulatory oversight unit for ongoing compliance. ECECD shares this information with providers through consultations and educators are encouraged to utilize resources from the National Center Pyramid Model and/or Conscious Discipline. Educators also utilize this information for family engagement opportunities and goal setting. Finally, ECECD shares this information with the general public through its consumer website and the University of New Mexico Early Childhood Services Center (UNM ECSC). Training for educators is also facilitated by UNM ECSC at no cost.

- b. Describe what policies, if any, the Lead Agency has to prevent the suspension and expulsion of school-age children from child or youth care settings receiving CCDF funds: **ECECD requires out-of-school time programs to have policies and procedures for the expulsion of children. Policies and procedures must include how the program will maintain a positive environment and focus on preventing the expulsion of children. The program must develop policies that include clear, appropriate, consistent expectations, and consequences to address disruptive student behaviors; and ensure fairness, equity, and continuous improvement. The expulsion procedures must be outlined in the program's family handbook.**

9.4 Providing Information on Developmental Screenings

Lead Agencies must provide information on developmental screenings to parents as part of the intake process for families participating in CCDF and to child care providers through training and education. This information must include:

- Existing resources and services that the State can make available in conducting developmental screenings and providing referrals to services when appropriate for children who receive child care assistance, including the coordinated use of the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under Title XIX of the Social Security Act and developmental screening services available under IDEA Part B, Section 619 and Part C; and,
- A description of how a family or child care provider can use these resources and services to obtain developmental screenings for children who receive subsidies and who might be at risk of cognitive or other developmental delays, which can include social, emotional, physical, or linguistic delays.

Information on developmental screenings, as in other consumer education information, must be accessible for individuals with limited English proficiency and individuals with disabilities.

9.4.1 Developmental screenings

Does the Lead Agency collect and disseminate information on the following:

- a. Existing resources and services available for obtaining developmental screening for parents receiving CCDF, the general public, and child care providers.

☒ Yes.

☐ No. If no, describe:

- b. Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program—carried out under Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.)—and developmental screening services available under Part B, Section 619 and Part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.).

☒ Yes.

☐ No. If no, describe:

- c. Developmental screenings to parents receiving a subsidy as part of the intake process.

☒ Yes. If yes, include the information provided, ways it is provided, and any partners in this work: **Child care providers are trained to administer developmental screenings and make appropriate referrals for early intervention services. A family may also self-refer for early intervention services, Part C or Part B.**

☐ No. If no, describe:

- d. How families receiving CCDF services or child care providers receiving CCDF can use the available resources and services to obtain developmental screenings for children at risk for cognitive or other developmental delays.

☒ Yes.

☐ No. If no, describe:

10 Program Integrity and Accountability

Program integrity and accountability activities are integral to the effective administration of the CCDF program. As stewards of federal funds, Lead Agencies must ensure strong and effective internal controls to prevent fraud and maintain continuity of services to meet the needs of children and families. In order to operate and maintain a strong CCDF program, regular evaluation of the program's internal controls as well as comprehensive training for all entities involved in the administration of the program are imperative. In this section, Lead Agencies will describe their internal controls and how those internal controls effectively ensure integrity and accountability. These accountability measures should address reducing fraud, waste, and abuse, including program violations and administrative errors and should apply to all CCDF funds.

10.1 Effective Internal Controls

Lead Agencies must ensure the integrity of the use of CCDF funds through effective fiscal management and must ensure that financial practices are in place. Lead Agencies must have effective fiscal management practices in place for all CCDF expenditures.

10.1.1 Organizational structure to support integrity and internal controls

Describe how the Lead Agency's organizational structure ensures the oversight and implementation of effective internal controls that promote and support program integrity and accountability. Describe: **ECECD's organizational structure ensures effective internal controls that promote program integrity and accountability by establishing clear roles, emphasizing compliance,**

and holding individuals accountable for their responsibilities through the following activities:

Assignment of Authority and Responsibilities: Within ECECD, each division has designated directors, financial staff, and program support personnel that ensures that ECECD manages internal authorities and responsibilities. These individuals hold specific authority related to program integrity.

Delegation of Duties: Within ECECD, responsibilities are delegated, and roles are intentionally separated across various divisions. This deliberate separation ensures that there is an appropriate level of review and approval before implementing significant activities or incurring costs.

Coordination of Activities: ECECD's Administrative Services Division (ASD) and program staff maintain communication via email or verbal channels regarding program activities. ASD and program staff also confer with ECECD leadership on a regular basis to ensure that the coordination of activities provides for the effective and efficient provision of services to the public.

Confidential emails are used to ensure the integrity of sensitive information.

Communication Between Fiscal and Program Staff: ECECD requires its staff to communicate between fiscal (financial) staff and program staff. This ensures alignment and transparency in program management.

Segregation of Duties: By separating roles, ECECD prevents any single individual from having too much control over critical processes. This segregation of duties enhances accountability.

Establishment of Checks and Balances: ECECD establishes checks and balances to detect potential fraud risks by engaging an external auditor to review internal controls. Any identified risks are promptly addressed. ASD also uses systems of checks and balances while working with program staff to approve any costs.

Other Activities Supporting Program Integrity: ECECD's program integrity is further supported by involving key individuals in oversight. ECECD's executive leadership, including the Secretary, Deputy Secretary, ASD Director, Office of General Counsel (OGC), and Chief Information Officer (CIO), actively participate in ensuring program integrity.

Include the following elements in your description:

1. Assignment of authority and responsibilities related to program integrity.
2. Delegation of duties.
3. Coordination of activities.
4. Communication between fiscal and program staff.
5. Segregation of duties.
6. Establishment of checks and balances to identify potential fraud risks.
7. Other activities that support program integrity.

10.1.2 Fiscal management practices

Describe how the Lead Agency ensures effective fiscal management practices for all CCDF expenditures, including:

- a. Fiscal oversight of CCDF funds, including grants and contracts. Describe: **ECECD ensures effective fiscal management practices for all CCDF funds, including those funds dispersed through grants and contracts, by utilizing a collaborative effort between executive leadership, program staff, and ECECD's Administrative Services Division (ASD). Program staff play a crucial role in initiating funding requests and understand the program needs to advocate for the necessary resources within the CCDF framework. As the fiscal steward for ECECD, ASD ensures that the required funding is not only available but also**

strategically allocated. ECECD's ASD expertise in financial management is instrumental in this process. ASD's role extends beyond mere approval as it actively collaborates with program staff to assess the feasibility and impact of each funding request. Leveraging upon the staff's fiscal management expertise, ECECD's ASD ensures that CCDF funds are effectively utilized and balance financial prudence with program effectiveness. This collaborative approach fosters a robust partnership where program staff rely on ECECD's ASD guidance, while ECECD's ASD appreciates the program's insights into operational needs. This system, with guidance and oversight from ECECD's executive leadership, supports CCDF expenditures and enhances program outcomes.

- b. Tracking systems that ensure reasonable and allowable costs and allow for tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the provision of this part. Describe: **ECECD has tracking systems that ensure that only reasonable and allowable costs are approved, and trace funds to a level adequate to establish that such funds have not been used in violation of this provision. When expenditures are requested by program staff, ECECD's Administrative Services Division (ASD) assesses the request and collaborates with program staff to identify the most suitable funding stream for each request. ECECD's primary financial tracking system is SHARE, which is common to most New Mexico state agencies. It serves as the authoritative record of all CCDF-related transactions. Through SHARE, ECECD meticulously tracks financial data and can identify discrepancies or anomalies.**
- c. Processes and procedures to prepare and submit required state and federal fiscal reporting. Describe: **Within ECECD, the Administrative Services Division (ASD) and program staff work together to ensure that all program expenses are accurately captured and documented appropriately. ECECD's ASD performs reconciliation processes for invoicing and payments through the SHARE financial data platform. If any discrepancies arise during this process, an electronic journal entry is promptly created or updated to reflect necessary adjustments and maintain accurate figures. Once ECECD's ASD and program staff agree on accurate program expenses, ECECD creates the required federal or state fiscal report and submits it to the appropriate entity.**
- d. Other. Describe:

10.1.3 Effectiveness of fiscal management practices

Describe how the Lead Agency knows there are effective fiscal management practices in place for all CCDF expenditures, including:

- a. How the Lead Agency defines effective fiscal management practices. Describe: **ECECD defines effective fiscal management practices as adherence to applicable federal and state regulations and implementing the highest standards of practice. ECECD's operations are aligned with the directives of the federal Office of Management and Budget (OMB) and follows the Model Accounting Practices (MAPs) guidelines set forth by New Mexico Department of Finance Administration (DFA). These standards provide ECECD with a structured approach to managing resources, assessing performance, and ensuring that ECECD's actions align with the expectations of stakeholders and the public. By adhering to the directives of OMB and MAPs' guidelines, ECECD maintains the highest standards of governance and management.**
- b. How the Lead Agency measures and tracks results of their fiscal management practices.

Describe: ECECD measures and tracks the results of its fiscal management practices by meticulously monitoring outcomes and evaluates the recommendations provided in all fiscal audits. This rigorous tracking process allows ECECD to ensure accountability, maintain transparency, and continually strive for improvements in operations. By closely scrutinizing results, ECECD holds itself responsible for the effectiveness of its actions, openly shares information about its performance, and actively seek ways to enhance its management of CCDF funds.

- c. How the results inform implementation. Describe: ECECD reviews the results of its fiscal management practices by analyzing the feedback it receives from its auditors and carefully analyzes their input to strategically incorporate preventive measures to address any identified gaps. These measures act as safeguards to ensure compliance with all CCDF requirements and mitigate potential risks.
- d. Other. Describe:

10.1.4 Identifying risk

Describe the processes the Lead Agency uses to identify risk in the CCDF program including:

- a. Each process used by the Lead Agency to identify risk (including entities responsible for implementing each process). Describe: ECECD collaborates closely with auditors to identify and then monitor and assess risk factors in the management of CCDF funds. These auditors meticulously examine ECECD's operations, processes, and systems and provide valuable insights into any shortcomings or potential liabilities. Based on the auditors' feedback, ECECD creates a detailed plan in collaboration with the program staff and ECECD's Administrative Services Division (ASD) to mitigate or address any potential risks.
- b. The frequency of each risk assessment. Describe: ECECD performs an annual comprehensive risk assessment to its operations and, when necessary or prudent under the circumstances, conducts audits of its individual programs. These audits ensure compliance with federal program requirements and assess both ECECD's financial statements and adherence to regulations, along with any funds spent by contractors or subrecipients of federal funds.
- c. How the Lead Agency uses risk assessment results to inform program improvement. Describe: ECECD uses risk assessment results to inform program improvement through collaboration between its Administrative Services Division (ASD) and program staff to devise a comprehensive strategy for addressing potential risks in a meticulous manner and implementing any necessary policy or procedure changes.
- d. How the Lead Agency knows that the risk assessment processes utilized are effective. Describe: ECECD knows that its risk assessment procedures are effective through monthly meetings where program staff collaborate with ECECD's Administrative Services Division (ASD). These meetings aim to align efforts and facilitate necessary follow-up. During these meetings, ASD and program staff discuss strategies, share insights, and address any challenges or opportunities to lower risk. Program and ASD staff also provide updates to each other on administrative matters, ensuring mutual understanding and alignment of objectives. Additionally, these meetings enable effective follow-up on action items or decisions, promoting transparency, accountability, and collective responsibility within ECECD. ECECD also conducts audits when necessary or required to ensure that risk is mitigated and ECECD's policies and procedures are effective.

e. Other. Describe:

10.1.5 Processes to train about CCDF requirements and program integrity

Describe the processes the Lead Agency uses to train staff of the Lead Agency and other agencies engaged in the administration of CCDF, and child care providers about program requirements and integrity.

- a. Describe how the Lead Agency ensures that all staff who administer the CCDF program (including through MOUs, grants, and contracts) are informed and trained regarding program requirements and integrity.
 - i. Describe the training provided to staff members around CCDF program requirements and program integrity: **ECECD informs its staff through newsletters and other communications about the CCDF state plan changes. ECECD also posts the CCDF state plan on its website for staff to review. ECECD's Child Care Assistance program conducts regular staff meetings and training to ensure staff consistency apply the current policies regarding eligibility determinations and other relevant matters. Additionally, the Improper Payment (IP) team conducts training sessions for Eligibility Interviewers (EIs), covering program requirements, eligibility determination, necessary documentation, and CCDF requirements. During these training sessions, feedback from supervisors and EIs is actively solicited. After the changes to the CCDF plan are made, CCSB updates its procedure manual to ensure compliance with CCDF program requirements and standards and trains staff on the updates.**
 - ii. Describe how staff training is evaluated for effectiveness: **ECECD evaluates the effectiveness of staff training through a comprehensive and systematic approach. Each month, ECECD staff randomly review 30 client files, evenly distributed across regions, alongside 2 percent of newly approved files from ECECD's OnBase system. These evaluations provide insights into compliance and program integrity. ECECD also shares error reports with CCSB supervisors and Regional Operation Managers (ROMs) on a regular basis to promote transparency and collaboration. ECECD's consistently low IP error rates demonstrate the success of training initiatives. Continuous monitoring and adjustment of training strategies ensure that staff members receive the support they need to maintain excellence in their work and uphold program integrity standards. In addition, ECECD employs a rigorous system of audits to ensure compliance and integrity in their Child Care Assistance program. Before releasing any payments to providers, ECECD conducts comprehensive audits covering 100 percent of payments. These audits utilize various methods, including generating reports to identify pending payments, detecting duplicate payments to prevent overpayments, reviewing manual entries for eligibility justifications, utilizing the EPICS database functionalities to prevent multiple payments for the same period, and verifying questionable payments with program supervisors. These measures are instrumental in maintaining program integrity and ensuring adherence to regulatory standards.**
 - iii. Describe how the Lead Agency uses program integrity data (e.g., error rate results, risk assessment data) to inform ongoing staff training needs: **Each month, ECECD's Improper Payment (IP) team conducts 30 random client file reviews, evenly**

distributed across regions, alongside with 2 percent of newly approved files from ECECD's OnBase system. These evaluations provide insights into compliance and program integrity. The evaluation findings are compiled into error reports, which are shared with supervisors and regional office managers on a regular basis. ECECD also develops tailored trainings that address the specific areas of concern identified through this analysis. These trainings cover topics such as eligibility determinations, documentation requirements, and CCDF guidelines, and providing staff members with the knowledge and skills needed to effectively carry out their responsibilities. Feedback from supervisors and Eligibility Interviewers (EIs) are actively solicited during these training sessions. This feedback and program data, combined with ongoing monitoring, allows for continuous improvement of training initiatives to better meet the evolving needs of staff.

- b. Describe how the Lead Agency ensures all providers for children receiving CCDF funds are informed and trained regarding CCDF program requirements and program integrity:
 - i. Describe the training for providers around CCDF program requirements and program integrity: ECECD ensures all providers for children receiving CCDF funds are informed and trained regarding CCDF program requirements and program integrity by implementing, in collaboration with the University of New Mexico Early Childhood Services Center, an online course titled "Child Care Assistance Provider Orientation" on the New Mexico Early Learning System (NMELS) training platform. This training was created as an entirely online, self-paced course designed with the following learning objectives: (a) Understand the intent of the Child Care Assistance program (CCA) and background on its creation, as well as an introduction to the communities it aims to serve; (b) Understand the CCA family eligibility requirements, age definitions, and how to apply for CCA; (c) Be informed on what providers need to know about CCA, such as child care placement agreement, provider agreements, and EPICS Provider Dashboard information; (d) Understand the reporting requirements concerning changes that impact contracts. In addition, resources such as newmexicokids.org and ECECD weblinks, are provided to the training participants. ECECD also effectively disseminates child care policy changes to providers through a multifaceted approach, including listservs, social media platforms, monthly communication calls, stakeholder meetings, at some in-person visits and during inspections by compliance officers, and through provider e-blasts.
 - ii. Describe how provider training is evaluated for effectiveness: ECECD evaluated provider trainings for effectiveness by requiring trainings to be completed on a sequential order, each part having to be completed before the next can be started. At the end of each section, a knowledge check is administered to determine the comprehension of the material just reviewed in which the participant must complete with at least a 70 percent accuracy rate before proceeding to the next section. A second quality check is in place via a final assessment to gauge the understanding of Child Care Assistance (CCA) by the participant. Finally, an evaluation is provided to allow the participant an opportunity to express concerns, suggestions for improvement, and clarification. ECECD then reviews the final evaluations to also gauge the effectiveness of the effectiveness of the training.

- iii. Describe how the Lead Agency uses program integrity data (e.g., error rate results, risk assessment data) to inform ongoing provider training needs: **ECECD uses program integrity data to inform ongoing provider training needs by revising the Child Care Assistance Provider Orientation, as needed, based on the data and the feedback collected from the training evaluation. Additionally, ECECD disseminates child care policy changes to providers through a multifaceted approach, including listservs, social media platforms, monthly communication calls, stakeholder meetings, at some in-person visits and during inspections by compliance officers, and provider e-blasts.**

10.1.6 Evaluate internal control activities

Describe how the Lead Agency uses the following to regularly evaluate the effectiveness of Lead Agency internal control activities for all CCDF expenditures.

- a. Error rate review triennial report results (if applicable). Describe who this information is shared with and how the Lead Agency uses the information to evaluate the effectiveness of its internal controls: **ECECD generates the triennial error rate review results to evaluate the effectiveness of its internal controls. In federal fiscal year 2021 (FFY21), ECECD's Improper Payment Audit team reported a 4.35 percent improper payment error rate. This data was promptly communicated to the ECECD Child Care Services Bureau (CCSB), enabling it to take strategic action to lower the error rate. CCSB utilized this information to analyze trends across various offices and counties, empowering supervisors, and managers to identify specific areas needing improvement and tailor training programs accordingly. This led to improvements in the state 12-month employee case review process.**
- b. Audit results. Describe who this information is shared with and how the Lead Agency uses the information to evaluate the effectiveness of its internal controls: **ECECD's Improper Payment Audit team performs 30 randomly selected file reviews, 15 per region, as well as 2 percent of newly approved files for each month from OnBase. OnBase is the electronic case management system used by ECECD. The information is shared with the ECECD program staff every 6 months. ECECD program staff utilize this information to analyze trends across various offices and counties, empowering supervisors, and managers to identify specific areas needing improvement and tailor training programs accordingly. In addition, ECECD's Child Care Assistance team conducts regular staff meetings to ensure consistency with current policy regarding eligibility determinations.**
- c. Other. Describe who this information is shared with and how the Lead Agency uses the information to evaluate the effectiveness of its internal controls: **ECECD's Improper Payment Audit team reviews case files and reviews errors in child care services. The report is shared every six months with the Child Care Services Bureau (CCSB). The CCSB utilizes this information to analyze trends across various offices and counties, empowering supervisors and managers to identify specific areas needing improvement and tailor training programs accordingly. Also, ECECD's Child Care Assistance team holds regular meetings to make sure staff follows CCDF guidelines. ECECD conducts comprehensive audits on all Child Care assistance payments before releasing payments to providers. ECECD uses the following methods to conduct the Child Care Assistance Payment Audits: (a) Generates a 'Pending Payment Report' to identify all payments awaiting issuance; (b) Detects duplicate payments by cross-checking service dates, providers, applicants, and**

children to prevent overpayments; (c) Reviews manual entries to ensure that they align with eligibility criteria; (d) Utilizes EPICS functionalities to prevent multiple payments for the same service month, provider, and child, thus avoiding overpayments; (e) Verifies questionable payments with program supervisors; and (f) Encourages supervisors to report unintentional program violations. These auditing procedures are crucial for maintaining program integrity and adherence to regulatory standards.

10.1.7 Identified weaknesses in internal controls

Has the Lead Agency or other entity identified any weaknesses in its internal controls?

- a. ☒ No. If no, describe when and how it was most recently determined that there were no weaknesses in the Lead Agency's internal controls. **ECECD has detected no internal control weaknesses thus far. To further fortify internal controls, ECECD contracted with an external auditor to conduct a comprehensive review of its internal controls. In addition to this, the auditor's expertise was enlisted to collaborate in crafting and refining ECECD's policies and procedures, ensuring they are robust and aligned with industry standards. This proactive approach underscores ECECD's commitment to maintaining the highest standards of operational integrity and efficiency.**
- b. ☐ Yes. If yes, what were the indicators? How did you use the information to strengthen your internal controls?

10.2 Fraud Investigation, Payment Recovery, and Sanctions

Lead Agencies must have the necessary controls to identify fraud and other program violations to ensure program integrity. Program violations can include both intentional and unintentional client and/or provider violations, as defined by the Lead Agency. These violations and errors, identified through the error-rate review process and other review processes, may result in payment or nonpayment (administrative) errors and may or may not be the result of fraud, based on the Lead Agency definition.

10.2.1 Strategies used to identify and prevent program violations

Check the activities the Lead Agency employs to ensure program integrity, and for each checked activity, identify what type of program violations the activity addresses, describe the activity and the results of these activities based on the most recent analysis.

- a. ☒ Share/match data from other programs (e.g., TANF program, Child and Adult Care Food Program, Food and Nutrition Service (FNS), Medicaid) or other databases (e.g., State Directory of New Hires, Social Security Administration, Public Assistance Reporting Information System (PARIS)).
 - i. ☒ Intentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **A cross-check between TANF data and ECECD's database system, EPICS, is performed to identify matching records. In the event of an intentional program violation, ECECD protocol entails the following steps: First, ECECD will promptly notify the oversight agency about the violation. Second, ECECD conducts a thorough audit to assess the situation, either internally or through an external auditor. ECECD will then integrate the recommended actions and activities provided to address the violation effectively.**

Following this, a comprehensive analysis is conducted, focusing on both the individual responsible for the program breach and the program itself, encompassing all past and future actions. Finally, to ensure accuracy and compliance, ECECD conducts a final review process where each aspect is carefully examined by two separate individuals. This approach ensures accountability and facilitates corrective measures in response to intentional violations of the program.

- ii. **[x]** Unintentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **ECECD thoroughly evaluates the nature of the infraction when inadvertent or unintentional violations occur. ECECD pinpoints the requisite corrective measures and promptly informs the appropriate parties. Additionally, ECECD ensures that its reports are promptly updated to accurately reflect these measures and maintain transparency.**
 - iii. **[x]** Agency errors. Describe the activities, the results of these activities, and how they inform better practice: **ECECD collaborates with its federal partners and seeks technical assistance in the event of an error to ensure that the appropriate steps are taken to mitigate the error and ensure that it does not occur again. ECECD also formulates a plan to effectively communicate this information to program staff to avoid future errors or anomalies.**
- b. **[x]** Run system reports that flag errors (include types).
- i. **[x]** Intentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **ECECD runs system reports that identify program violations through comprehensive audits covering 100% of Child Care assistance payments before any provider payments are disbursed. ECECD uses the following methods to conduct the Child Care Assistance Payment Audits: (a) Generate a 'Pending Payment Report' that will identify 100 percent of all Child Care Assistance Payments with a payment status of 'issue payment'; (b) Detect duplicate payments by generating an exception report. The exception report will identify all payments that have duplicate service dates, duplicate provider, duplicate applicant and duplicate child. To identify intentional program violations that could result in an overpayment, the report will cross check payments; (c) Program violations that could result from manual entries are reviewed to ensure payment request and the data entry of dollar amount and service dates are justified by the Eligibility Interviewer's narrative; (d) EPICS has integrated functionalities that only allow for one monthly payment per service. This is to ensure payments do not exceed a full-time placement per child and or would not exceed the highest differential payment; (e) Questionable payments found during the audit process are verified by Child Care program supervisors and, if appropriate, approved by them; (f) Encourage Child Care supervisors to report program violations where child care payments were issued incorrectly.**
 - ii. **[x]** Unintentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **ECECD runs system reports that identify program violations through comprehensive audits covering 100 percent of Child Care assistance payments before any provider payments are disbursed. The methods to conduct the Child Care Assistance Payment Audits are as follows: (a)**

Generate a 'Pending Payment Report' that will identify 100 percent of all Child Care Assistance Payments with a payment status of ☒ issue payment; (b) Detect duplicate payments by generating an exception report. The exception report will identify all payments that have duplicate service dates, duplicate provider, duplicate applicant and duplicate child. To identify intentional program violations that could result in an overpayment, the report will cross check payments; (c) Program violations that could result from manual entries are reviewed to ensure payment request and the data entry of dollar amount and service dates are justified by the Eligibility Interviewer's narrative; (d) EPICS has integrated functionalities that only allow for one monthly payment per service. This is to ensure payments do not exceed a full-time placement per child and or would not exceed the highest differential payment; (e) Questionable payments found during the audit process are verified by Child Care program supervisors and, if appropriate, approved by them; (f) Encourage Child Care supervisors to report program violations where child care payments were issued incorrectly. These auditing procedures are instrumental in maintaining program integrity and ensuring compliance with regulatory standards.

- iii. ☒ Agency errors. Describe the activities, the results of these activities, and how they inform better practice: **ECECD's Payment Audit team conducts regular internal audits of Child Care Assistance payments to ensure accuracy and compliance. Our auditing procedures include thorough reviews of manual payment entries, known as One Time Only Payments. ECECD's Payment Audit team promptly halt any flagged entries and notify internal staff of errors to prevent improper payments. Effective communication between ECECD Child Care Licensing and Eligibility Interviewers is prioritized to minimize errors in compensating providers at incorrect star level rates. This proactive approach ensures that staff are well-informed about updates, and thereby reduces payment calculation errors. ECECD also encourages timely submission of payment pull requests. These comprehensive measures minimize errors and ensure accurate payments to providers.**

- c. ☒ Review enrollment documents and attendance or billing records.

- i. ☒ Intentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **For intentional program violations, ECECD staff monitors attendance records, the child care placement agreement and billing records at any time during the certification period or on a case-by-case basis to ensure payment accuracy. Providers who do not comply with this requirement are sanctioned and may be subject to recoupment or disallowance of payments. These steps ensure that the providers are better informed and are in alignment with CCDF requirements. In addition, the Enterprise Provider Information and Constituent Services (EPICS) system has internal functionalities embedded in it and prohibits eligibility workers from making many of the most common administrative errors.**
- ii. ☒ Unintentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **If ECECD encounters unintentional program violations, the staff reviews enrollment documents and attendance or billing records and compares them with child care placement agreement to**

identify improper payments. For example, if the provider fails to notify ECECD of the child's non-attendance for 14 consecutive days or longer, the provider will be paid through the last date of attendance. Providers who do not comply with this requirement are sanctioned and may be subject to recoupment or disallowance of payments. These steps ensure that the providers are better informed and are in alignment with the CCDF requirements. In addition, ECECD's EPICS system has internal functionalities embedded in it and prohibits Eligibility Interviewers from making administrative errors.

- iii. **[x]** Agency errors. Describe the activities, the results of these activities, and how they inform better practice: ECECD's EPICS system has internal functionalities in place to mitigate errors by its Eligibility Interviewers. These updates ensure that eligibility determinations are solely based on accurate data entered by the Eligibility Interviewers. Systematic checks have been integrated into EPICS to validate the information entered by staff. This not only streamlines the process but also increases the accuracy in eligibility assessments.
- d. **[x]** Conduct supervisory staff reviews or quality assurance reviews.
 - i. **[x]** Intentional program violations. Describe the activities, the results of these activities, and how they inform better practice: ECECD's EPICS system has internal functionalities in place to mitigate intentional program violations. These updates ensure that eligibility determinations are solely based on accurate data entered by staff. Systematic checks have been integrated into EPICS to validate the information entered by staff. This not only streamlines the process but also upholds accuracy in eligibility assessments. Supervisors for ECECD's Child Care Assistance team, Administrative Services Division (ASD), and other program staff review instances of intentional program violations to ensure that ECECD is effectively addressing the issue, mitigating future risk, and making any necessary policy or procedure changes.
 - ii. **[x]** Unintentional program violations. Describe the activities, the results of these activities, and how they inform better practice: ECECD's EPICS system has internal functionalities in place to mitigate unintentional program violations. These updates ensure that eligibility determinations are solely based on accurate data entered by staff. Systematic checks have been integrated into EPICS to validate the information entered by staff. This not only streamlines the process but also upholds accuracy in eligibility assessments. Supervisors for ECECD's Child Care Assistance team, Administrative Services Division (ASD), and other program staff review instances of unintentional program violations to ensure that ECECD is effectively addressing the issue, mitigating future risk, and making any necessary policy or procedure changes.
 - iii. **[x]** Agency errors. Describe the activities, the results of these activities, and how they inform better practice: ECECD's EPICS system has internal functionalities in place to mitigate errors made by its Eligibility Interviewers or other staff. These updates ensure that eligibility determinations are solely based on accurate data entered by staff. Systematic checks have been integrated into EPICS to validate the information entered by staff. This not only streamlines the process but also upholds accuracy in eligibility assessments. Supervisors for ECECD's Child Care

Assistance team, Administrative Services Division (ASD), and other program staff review instances of agency errors to ensure that ECECD is effectively addressing the issue, mitigating future risk, and making any necessary policy or procedure changes.

- e. **[x]** Audit provider records.
 - i. **[x]** Intentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **In the event of an intentional program violation, ECECD would inform the oversight agency, perform its own audit, integrate the actions and activities recommended by the external auditor, and further assess related past and future actions to see where any improvements or changes should be made and then address the specific issue with the provider.**
 - ii. **[x]** Unintentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **In the event of unintentional program violations, ECECD would review the type of violation, and determine the appropriate response necessary, as well as inform the necessary individuals and update any reports accordingly. ECECD would also address the issue with the provider to ensure that steps are taken to educate the provider and avoid any repeated unintentional program violations.**
 - iii. **[x]** Agency errors. Describe the activities, the results of these activities, and how they inform better practice: **If ECECD were to have an error, ECECD would work with its federal partners and seek technical assistance to ensure that ECECD has the necessary knowledge to fix the error and ensure it does not occur again in the future.**
- f. **[x]** Train staff on policy and/or audits.
 - i. **[x]** Intentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **The ECECD Child Care Assistance program provides regular training sessions to staff members, ensuring that they stay current on policy changes, program requirements, and integrity standards. In addition, the ECECD Quality Assurance team conducts training to keep staff informed about policy updates, program integrity requirements, and procedures. These trainings promote effective communication and collaboration.**
 - ii. **[x]** Unintentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **The ECECD Child Care Assistance program provides regular training sessions to staff members, ensuring that they stay current on policy changes, program requirements, and integrity standards. In addition, the ECECD Quality Assurance team conducts trainings to keep staff informed about policy updates, program integrity requirements, and procedures. These trainings promote effective communication and collaboration.**
 - iii. **[x]** Agency errors. Describe the activities, the results of these activities, and how they inform better practice: **The ECECD Child Care Assistance program provides regular training sessions to staff members, ensuring that they stay current on policy changes, program requirements, and integrity standards. In addition, the ECECD Quality Assurance team conducts trainings to keep staff informed about policy updates, program integrity requirements, and procedures. These trainings**

promote effective communication and collaboration.

- g. **[x]** Other. Describe the activity(ies): **ECECD collaborates with federal and state contacts, referencing guidelines to ensure that protocols for addressing violations are completed promptly.**
 - i. **[x]** Intentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **In the event of an intentional program violation, ECECD protocol entails the following steps: First, ECECD will promptly notify the oversight agency about the violation. Second, ECECD conducts a thorough audit to assess the situation. ECECD will then integrate the recommended actions and activities provided by the internal or external auditors to address the violation effectively. Following this, a comprehensive analysis is conducted, focusing on both the individual responsible for the program breach and the program itself, encompassing all past and future actions. Finally, to ensure accuracy and compliance, ECECD conducts a final review process where each aspect of the program violation is carefully examined by two separate individuals. This approach ensures accountability and facilitates corrective measures in response to intentional violations of the program.**
 - ii. **[x]** Unintentional program violations. Describe the activities, the results of these activities, and how they inform better practice: **In the event of unintentional program violations, ECECD would review the type of violation and determine the appropriate development needed, as well as inform the necessary individuals and update reports accordingly.**
 - iii. **[x]** Agency errors. Describe the activities, the results of these activities, and how they inform better practice: **Should ECECD encounter an error, the agency would work with its federal partners and seek technical assistance to gather the necessary expertise. Following this, ECECD would devise a comprehensive plan to communicate and disseminate the acquired information across the program effectively and make any necessary policy or procedure changes.**

10.2.2 Identification and recovery of misspent funds

Lead Agencies must identify and recover misspent funds that are a result of fraud, and they have the option to recover any misspent funds that are a result of unintentional program violations or agency errors.

- a. Identify which agency is responsible for pursuing fraud and overpayments (e.g., State Office of the Inspector General, State Attorney): **In the event ECECD identifies an instance of misspent funds resulting in fraud, ECECD will report it to the New Mexico Office of the State Auditor (OSA). OSA plays a crucial role in overseeing various government financial activities. Depending on the specifics or situation, the State Office of the Inspector General and the New Mexico Office of the Attorney General may become involved, following the guidance provided by OSA as well as the ECECD Office of General Counsel.**
- b. Check and describe all activities, including the results of such activity, that the Lead Agency uses to investigate and recover improper payments due to fraud. Consider in your response potential fraud committed by providers, clients, staff, vendors, and contractors. Include in the description how each activity assists in the investigation and recovery of improper payment due to fraud or intentional program violations. Activities can include,

but are not limited to, the following:

- i. ☐ Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount. Describe the activities and the results of these activities based on the most recent analysis:
 - ii. ☐ Coordinate with and refer to the other State/Territory agencies (e.g., State/Territory collection agency, law enforcement agency). Describe the activities and the results of these activities based on the most recent analysis:
 - iii. ☒ Recover through repayment plans. Describe the activities and the results of these activities based on the most recent analysis: **ECECD requires child care providers to enter into repayment plans when the provider has misspent or otherwise misused CCDF or state funds. To ensure the feasibility of the provider completing the repayment plan, ECECD first consults with the provider and then offers a reasonable repayment plan.**
 - iv. ☒ Reduce payments in subsequent months. Describe the activities and the results of these activities based on the most recent analysis: **If a need arises, ECECD would consult with the provider determine the feasibility of reduced payments in subsequent months and formulate reasonable plan to reduce future payments until misspent funds are recovered.**
 - v. ☐ Recover through State/Territory tax intercepts. Describe the activities and the results of these activities based on the most recent analysis:
 - vi. ☐ Recover through other means. Describe the activities and the results of these activities based on the most recent analysis:
 - vii. ☒ Establish a unit to investigate and collect improper payments and describe the composition of the unit. Describe the activities and the results of these activities based on the most recent analysis: **Currently, ECECD has a Payment Audit team that investigates potential improper payments both before and after they may be issued. This team also stops improper payments in the process of being issued to providers to ensure the financial integrity of CCDF and state funds. This team diligently examines transactions, identifies irregularities, and takes corrective actions. Through rigorous analysis and collaboration, the Payment Audit team strives to minimize financial losses and enhance transparency in government operations.**
 - viii. ☐ Other. Describe the activities and the results of these activities:
- c. Does the Lead Agency investigate and recover improper payments due to unintentional program violations?
- ☐ No.
- ☒ Yes.
- If yes, check and describe below any activities that the Lead Agency will use to investigate and recover improper payments due to unintentional program violations. Include in the description how each activity assists in the investigation and recovery of improper payments due to unintentional program violations. Include a description of the results of such activity.

- i. ☐ Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount. Describe the activities and the results of these activities based on the most recent analysis:
 - ii. ☐ Coordinate with and refer to the other State/Territory agencies (e.g., State/Territory collection agency, law enforcement agency). Describe the activities and the results of these activities based on the most recent analysis:
 - iii. ☒ Recover through repayment plans. Describe the activities and the results of these activities based on the most recent analysis: **ECECD requires child care providers to enter into repayment plans when the provider has misspent or otherwise unintentionally misused CCDF or state funds. To ensure the feasibility of the provider completing the repayment plan, ECECD first consults with the provider and then offers a reasonable repayment plan.**
 - iv. ☒ Reduce payments in subsequent months. Describe the activities and the results of these activities based on the most recent analysis: **If a need arises, ECECD would consult with the provider determine the feasibility of reduced payments in subsequent months and formulate reasonable plan to reduce future payments until misspent funds are recovered.**
 - v. ☐ Recover through State/Territory tax intercepts. Describe the activities and the results of these activities based on the most recent analysis:
 - vi. ☐ Recover through other means. Describe the activities and the results of these activities based on the most recent analysis:
 - vii. ☒ Establish a unit to investigate and collect improper payments and describe the composition of the unit. Describe the activities and the results of these activities based on the most recent analysis: **Currently, ECECD has a team that actively functions with the sole purpose of addressing improper payments and conducting thorough investigations. It is dedicated to addressing the collection of improper payments and ensuring financial integrity. The team diligently examines transactions, identifies irregularities, and takes corrective actions. This work contributes significantly to safeguarding public funds and maintaining accountability. Through rigorous analysis and collaboration, the team strives to minimize financial losses and enhance transparency in government operations.**
 - viii. ☐ Other. Describe the activities and the results of these activities:
- d. Does the Lead Agency investigate and recover improper payments due to agency errors?
- ☐ No.
- ☒ Yes.
- If yes, check and describe all activities that the Lead Agency will use to investigate and recover improper payments due to agency errors. Include in the description how each activity assists in the investigation and recovery of improper payments due to administrative errors. Include a description of the results of such activity.
- i. ☐ Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount. Describe the activities and the results of these activities based on the most recent analysis:

- ii. ☐ Coordinate with and refer to the other State/Territory agencies (e.g., State/Territory collection agency, law enforcement agency). Describe the activities and the results of these activities based on the most recent analysis:
- iii. ☒ Recover through repayment plans. Describe the activities and the results of these activities based on the most recent analysis: **ECECD requires child care providers to enter into repayment plans when the agency has made an error with respect to CCDF funds. To ensure the feasibility of the provider completing the repayment plan, ECECD first consults with the provider and then offers a reasonable repayment plan.**
- iv. ☒ Reduce payments in subsequent months. Describe the activities and the results of these activities based on the most recent analysis: **If ECECD makes an error, ECECD would consult with the provider determine the feasibility of reduced payments in subsequent months and formulate reasonable plan to reduce future payments until funds are recovered.**
- v. ☐ Recover through State/Territory tax intercepts. Describe the activities and the results of these activities based on the most recent analysis:
- vi. ☐ Recover through other means. Describe the activities and the results of these activities based on the most recent analysis:
- vii. ☒ Establish a unit to investigate and collect improper payments and describe the composition of the unit. Describe the activities and the results of these activities based on the most recent analysis: **Currently, ECECD has a team that actively functions with the sole purpose of addressing improper payments and conducting thorough investigations. It is dedicated to addressing the collection of improper payments and ensuring financial integrity. The team diligently examines transactions, identifies irregularities, and takes corrective actions. This work contributes significantly to safeguarding public funds and maintaining accountability. Through rigorous analysis and collaboration, they strive to minimize financial losses and enhance transparency in government operations.**
- viii. ☐ Other. Describe the activities and the results of these activities:
- e. What type of sanction will the Lead Agency place on clients and providers to help reduce improper payments due to intentional program violations or fraud? Check and describe all that apply:
 - i. ☒ Disqualify the client. Describe this process, including a description of the appeal process for clients who are disqualified. Describe the activities and the results of these activities based on the most recent analysis: **In cases where ECECD substantiates fraud, ECECD may disqualify a client until their debt has been paid in full. Clients who have been sanctioned or disqualified from the program may request a fair hearing in front of an impartial hearing officer. The request for a fair hearing must be made in writing within 30 calendar days from the date ECECD took the adverse action affecting the client's benefits. ECECD reviews the request for a hearing and consults with the client to determine if the matter can be resolved without proceeding to a fair hearing. If the matter cannot be resolved without a fair hearing, ECECD conducts the fair hearing within 60 calendar days of receipt of the letter requesting the hearing and notifies the client of the date of**

the hearing no less than 14 calendar days prior to the hearing. The location of the hearing must be easily accessible to the claimant. Conducting the fair hearing by telephone or video conferencing is permitted. If the decision is in favor of ECECD, the client is responsible for repayment of all monies received to which the client was not entitled, unless the hearing decision provides otherwise, or the ECECD Early Childhood Services Director authorizes otherwise in exceptional circumstances.

- ii. ☒ Disqualify the provider. Describe this process, including a description of the appeal process for providers who are disqualified. Describe the activities and the results of these activities based on the most recent analysis: **In cases where ECECD substantiates fraud, ECECD may disqualify a provider until their debt has been paid in full. Providers who have been sanctioned or disqualified from the program may request a fair hearing in front of an impartial hearing officer. The request for a fair hearing must be made in writing within 30 calendar days from the date ECECD took the adverse action affecting the provider's benefits. ECECD reviews the request for a hearing and consults with the provider to determine if the matter can be resolved without proceeding to a fair hearing. If the matter cannot be resolved without a fair hearing, ECECD conducts the fair hearing within 60 calendar days of receipt of the letter requesting the hearing and notifies the provider of the date of the hearing no less than 14 calendar days prior to the hearing. The location of the hearing must be easily accessible to the provider. Conducting the fair hearing by telephone or video conferencing is permitted. If the decision is in favor of ECECD, the provider is responsible for repayment of all monies received to which the provider was not entitled, unless the hearing decision provides otherwise, or the ECECD Early Childhood Services Director authorizes otherwise in exceptional circumstances.**
- iii. ☐ Prosecute criminally. Describe the activities and the results of these activities based on the most recent analysis:
- iv. ☒ Other. Describe the activities and the results of these activities based on the most recent analysis: **In the event ECECD identifies a mispending of funds resulting in fraud, ECECD will report it to the Office of the State Auditor (OSA). OSA plays a crucial role in overseeing various activities. Depending on the specific action or situation, the State Office of the Inspector General and the Office of Attorney General become involved, following the guidance provided by OSA and ECECD's Office of General Counsel.**

Appendix 1: Lead Agency Implementation Plan

The Appendix will be available for Lead Agencies to use in CARS after the Plan approval letter is issued.

For each non-compliance, Lead Agencies must describe the following:

- **Action Steps:** List the action steps needed to correct the finding (e.g., update policy manual, legislative approval, IT system changes, etc.). For each action step list the:
 - ***Responsible Entity:*** Indicate the entity (e.g., agency, team, etc.) responsible for completing the action step.
 - ***Expected Completion Date:*** List the expected completion date for the action step.
- **Overall Target Date for Compliance:** List date Lead Agency anticipates completing implementation, achieving full compliance with all aspects of the findings. (Note: Compliance will not be determined until the FFY 2025-2027 CCDF Plan is amended and approved).

Appendix 1: Form

[Plan question with non-compliance and associated provision will pre-populate based on preliminary notice of non-compliance]

A. Action Steps for Implementation	B. Responsible Entity(ies)	C. Expected Completion Date
Step 1:		
Step 2 (as necessary):		
[Additional steps added as necessary]		
Overall Target Date for Compliance:		